



Mariposa Town Planning
Area

ch. 12.1

2588

Specific Plan



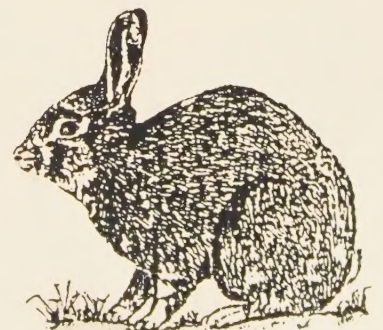
Final Environmental
Impact Report




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**FINAL
ENVIRONMENTAL IMPACT REPORT
MARIPOSA TOWN PLANNING AREA
SPECIFIC PLAN**

State Clearinghouse Number: 90020361

Mariposa County Board of Supervisors

Certified by Resolution No. 92-37 on
January 14, 1992

MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE OF CONTENTS

| | | |
|------|--------------------------------------------------------|----|
| I. | Purpose and Format of Final EIR | 1 |
| II. | Mariposa County Resolution No. 92-37 | 2 |
| III. | Persons, Organizations, and Public Agencies Commenting | 5 |
| IV. | Comments Received on Draft EIR | 6 |
| V. | Lead Agency Responses to Comments | 36 |
| VI. | Amendments to Draft EIR | 46 |
| VII. | Draft Environmental Impact Report | |

SECTION I

PURPOSE AND FORMAT OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (EIR) for the Mariposa TPA Specific Plan update is the final environmental document which will be considered by the Board of Supervisors in the adoption of the Specific Plan. The Final EIR includes responses by the Board of Supervisors to significant environmental issues raised in comments on the Draft EIR, new information available on the CalTrans improvement project proposed for Highway 49 North, and modifications made by the Board of Supervisors to specific mitigation measures. Specifically, the Final EIR consists of the following:

- 1) The Board of Supervisors resolution certifying the Final EIR.
- 2) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- 3) Comments received on the Draft EIR.
- 4) Lead Agency Responses to Comments.
- 5) Amendments to the Draft EIR.
- 6) The Draft EIR.

The contents of the Final EIR have been prepared in the form of an attachment or addendum to the Draft EIR as allowed by Section 15146(b) of the California Environmental Quality Act (CEQA) Guidelines.

The comments received on the Draft EIR are contained in Section IV of the Final EIR. Each comment document is numbered in the top-right corner and specific comments are assigned a letter in the right margin. These references are provided to key the responses contained in Section V to the applicable document and comment.

Some responses to comments call for amendments to the Draft EIR. In addition, the new information on Highway 49 North and the Board modifications to mitigation measures necessitate amendments to the Draft EIR. These amendments to the Draft EIR are included in Section VI, and those sections of the Draft EIR which have been amended are identified in the Draft EIR by a solid line in the right margin. A reference number is provided next to the margin line to indicate the specific amendment in Section VI which applies to that section of the Draft EIR. If there is a solid line next to a section in the Draft EIR, that section may no longer be valid and you must refer to Section VI of the Final EIR.

SECTION II

MARIPOSA COUNTY RESOLUTION NO. 92-37

CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT

A RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL
IMPACT REPORT FOR THE MARIPOSA TOWN PLANNING
AREA SPECIFIC PLAN UPDATE

WHEREAS, the Mariposa County Board of Supervisors has initiated an update to the Specific Plan for the Mariposa Town Planning Area; and

WHEREAS, the Board, acting as the Lead Agency, has prepared an Environmental Impact Report (EIR) for the project in accordance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the Mariposa County Environmental Review Policies and Procedures; and

WHEREAS, the Board established a public review period for the Draft EIR and held noticed public hearings to receive comments on the Draft EIR; and

WHEREAS, the Board has considered the documentary and verbal comments submitted on the Draft EIR and responded to substantial environmental points raised by those comments in accordance with CEQA.

NOW THEREFORE BE IT RESOLVED that the Mariposa County Board of Supervisors hereby determines and certifies:

1) That the modifications made to the Specific Plan and EIR by the Board of Supervisors after the public review period are not substantial and the potential impacts of these modifications are addressed within the bounds of analysis provided in the EIR.

2) That the Final Environmental Impact Report for the Mariposa Town Planning Area Specific Plan Update is adequate and has been completed in compliance with the provisions of

1 the California Environmental Quality Act (CEQA), the CEQA
2 Guidelines, and the Mariposa County Environmental Review
3 Policies and Procedures.

4 3) That the Final EIR has been presented to the Board of
5 Supervisors and the Board has reviewed and considered the
6 information contained in the Final EIR prior to adopting the
7 Specific Plan.

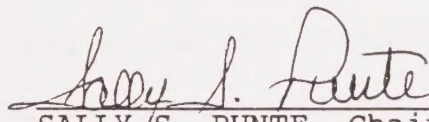
8 PASSED AND ADOPTED by the Mariposa County Board of
9 Supervisors on this 14th day of January, 1992 by the
10 following vote:

11 AYES: Baggett, Punte, Erickson, Radanovich

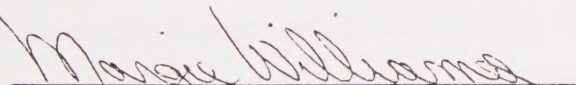
12 NOES: None

13 ABSTAINED: None

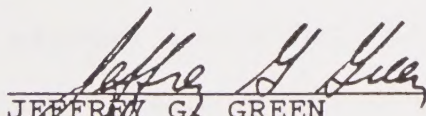
14 EXCUSED: Taber

15 
16 SALLY S. PUNTE, Chairman
17 Mariposa County Board of Supervisors

18 ATTEST:

19 
20 MARGIE WILLIAMS
21 Clerk of the Board

22 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

23 
24 JEFFREY G. GREEN
25 County Counsel
26
27
28

SECTION III

PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE MARIPOSA TPA SPECIFIC PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT

The Mariposa County Board of Supervisors has received specific comments on the Draft Environmental Impact Report (EIR) from the following agencies and persons:

- 1) California Department of Food and Agriculture
- 2) California Department of Fish and Game
- 3) California Department of Transportation, District 10
- 4) Mariposa Public Utility District
- 5) Mariposa Local Agency Formation Commission
- 6) Mariposa County Public Works Department
- 7) Mariposa Air Pollution Control District
- 8) Mariposa County Historical Sites and Preservation Commission
- 9) Donald J. Starchman
- 10) Michael Czaja
- 11) Roberta M. Standen

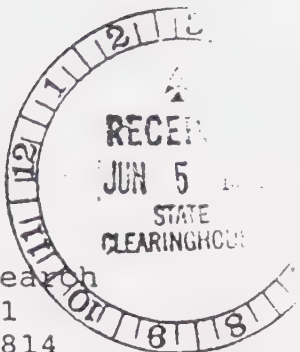
Comments received on the Specific Plan and its contents which do not specifically reference the Draft EIR have not been included in this document. This portion of the Final Environmental Impact Report includes comments made specifically on the contents, analysis, and conclusions of the Draft EIR and responses to those comments.

SECTION IV

COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

Memorandum

To : Mr. Russ Colliau
State Clearinghouse
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, California 95814



Date : June 4, 1991

Place : Sacramento

From : Department of Food and Agriculture --1220 N Street, P.O. Box 942871
Sacramento, CA 95814-0001

Subject: SCH No. 90020361 -- The Mariposa Town Area Specific Plan Update

The California Department of Food and Agriculture (CDFA) has reviewed the Draft Environmental Impact Report (DEIR) on the above referenced project. This project would involve the updating of the Mariposa Town Area Specific Plan. The CDFA has the following comments and recommendations.

The CDFA would like to commend the Specific Plan Update. This Specific Plan lists the same concerns regarding the preservation of agricultural land as those we hold here at the CDFA. It was a pleasure to see that the Specific Plan will not result in the conversion of an agricultural land to non-agricultural uses.

The CDFA supports the right of local agencies to develop and implement land-use policy in its area of influence. However, the CDFA wants to assure that agricultural land is not prematurely and irreversibly lost due to development which is not accurately assessed for environmental impact. Again, the CDFA is thankful that agricultural land is not to be developed in this Specific Plan.

Sincerely,

Mary McNally
Graduate Student Assistant
Agricultural Resources Branch
(916) 322-5227

cc: Mariposa County Agricultural Commissioner
California Association of Resource Conservation Districts

Memorandum

To : 1. Projects Coordinator
Resources Agency

2. Mr. Tony Lashbrook
Mariposa County Planning Department
P.O. Box 2039
Mariposa, California 95338

Date : June 18, 1991

From : Department of Fish and Game

Subject : SCH 90020361, Mariposa Town Planning Area Specific Plan Update
and Draft Environmental Impact Report (EIR), Mariposa County

The Department of Fish and Game has reviewed Mariposa County's Draft EIR regarding the Mariposa Town Planning Area (TPA) Specific Plan Update. The TPA is located in a narrow valley within the western foothills of the Sierra Nevada, in the Central area of Mariposa County with a land base of approximately 1,900 acres. State highways 49 and 140 intersect in the TPA and serve to connect Mariposa with Merced, Oakhurst, and Yosemite National Park. The TPA is located within the Foothill or Digger Pine Chaparral Belt of the Sierra Nevada. Wildlife habitat consists primarily of Pine-Oak Woodland, chaparral, and riparian wetland along Mariposa and Stockton creeks.

Based upon the information provided, it appears the project will adversely affect wildlife resources, including resident and migratory deer in the Yosemite deer herd, mountain lions, and black bears as well as wildlife species associated with riparian wetland habitats. These impacts will occur both within the project boundaries and on adjacent lands. They will include: (1) increased traffic (and associated disturbance and "road kills"), (2) increased disturbance factors for wildlife, (3) direct consumption of existing habitat due to constructed project features, (4) increased illumination, altering the feeding effectiveness and predatory-prey relationships of nocturnal animals, (5) increases in the abundance/incidence of free roaming pets, which prey adversely upon wildlife, and (6) interruption of daily and seasonal movement corridors of local and migratory animals and many other problems.

We believe the mitigation measures as contained in the Draft EIR fall short of reducing project impacts below significant levels.

The proposed project has the potential to adversely impact riparian wetland habitat along Mariposa and Stockton creeks. The following measures should be incorporated into the project to protect riparian wetland habitat and adopted as conditions of approval by the Board of Supervisors:

1. Projects Coordinator
2. Mr. Tony Lashbrook
June 18, 1991
Page Two

1. Establishment of a 100-foot buffer zone starting at the outermost edge of the riparian vegetation along Mariposa and Stockton creeks and no future development allowed within this buffer zone or in the riparian zone itself.
2. All native riparian vegetation shall be retained. The Department has direct jurisdiction under Fish and Game Code sections 1601-03 in regard to any proposed activities that would divert or obstruct the natural flow or change the bed, channel, or bank of any stream. We recommend early consultation since modification of the proposed project may be required to avoid impacts to fish and wildlife resources. Formal notification under Fish and Game Code Section 1603 should be made after all other permits and certifications have been obtained. Work cannot be initiated until a streambed alteration agreement is executed.
3. Special consideration should be given to designating Mariposa County flood plain as a wildlife corridor through the community.

If the above-described (mitigation/consultation) is not (included/undertaken), the project should not be approved. The Department opposes the authorization of any project which would result in the net loss of either wetland acreage or wetland habitat value. We remind the lead agency that approval of any project with associated unavoidable effects will require a "Finding of Overriding Considerations" as a part of the approval decision.

If you have any questions or wish to discuss these comments, please contact Mr. George Nokes, Regional Manager, Region 4, 1234 East Shaw Avenue, Fresno, California 93710, telephone (209) 222-3761.

Howard A. Santoro for
Pete Bontadelli
Director

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)
STOCKTON, CA 95201



(209)948-7838

June 4, 1991

10-Mpa-49,140
City of Mariposa
Mariposa Town Planning
Area Specific Plan Update
DEIR
SCH #90020361

Mr. Russ Colliau
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Colliau:

Caltrans has reviewed the DEIR for the Mariposa Town Planning Area Specific Plan and has the following comments:

Page 169

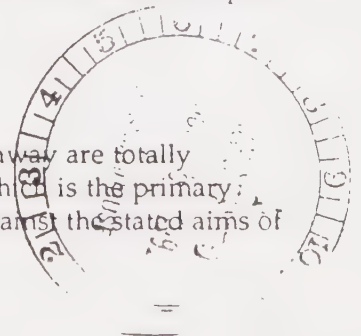
- The proposed Autone Road/State Route 49/State Route 140 intersection (shown in Fig. 22) is not acceptable. The extreme skew of the intersection would impair driver visibility and would make some of the turning moves difficult for automobiles and impossible for trucks or other large vehicles. The angle should be as close to 90 degrees as possible. The proposed 30' right-of-way is not wide enough for a proper roadway with shoulders. The minimum roadway should consist of 12' traffic lanes with 4' paved shoulders, for a minimum width of 32'.

Page 170

- Item C, Mariposa Mine Loop (shown in Fig. 26) - This plan would also create an unacceptable extremely skewed intersection where it meets State Route 49. It needs to be a right angle or nearly so.
- Fig. 26 also shows a new curved connection between State Route 49 and Bullion Street. This, too, would be unacceptable with the skew shown. In fact, what purpose would it serve? By the time it is realigned to a right angle, it would provide no better service than Third Street, which would be immediately next to it. It would be better to improve Third Street. (This is covered on Page 172, Item H - It is a one-way "ramp" to Bullion Street. This, too, would be unacceptable since it could encourage drivers to take a wrong-way, short-cut.)

Page 177

- Item 5 - "Chokers" and other built-in islands or restrictors on the highway are totally unacceptable. They are a hazard to vehicles and create congestion, which is the primary problem already in the downtown area. This recommendation goes against the stated aims of this Specific Plan, to improve conditions.




Mr. Russ Colliau
June 4, 1991
Page 2

- Item 7 - This recommends several street parking areas be converted to diagonal or right-angle parking. This would be a step backwards. Many studies have been done which have shown that a considerable increase in accidents can be expected with this type of parking. In addition, traffic congestion is increased on the streets.

If you have any questions in regard to our comments please call Mr. Raymond Goulart of our Traffic Operations section at (209) 948-7935.

Sincerely,


AL JOHNSON
IGR Coordinator

Attachment

DIRECTORS:

DANA L. FINNEY
JAMES A. MC GEE
KENNETH E. MELTON
GLENN MICHAEL
DAVID RADANOVICH

MARK L. ROWNEY, SEC.-MGR

Mariposa Public Utility District

P. O. BOX 494
MARIPOSA, CALIFORNIA
(209) 966-2515

June 27, 1991

Mr. Tony Lashbrook
Mariposa Planning Dept.
Box 2039
Mariposa, Ca. 95338

REF: SPECIFIC PLAN AND EIR FOR MARIPOSA TOWN PLANNING AREA

Dear Tony:

The MPUD Board of Directors have reviewed the draft Mariposa Town Planning Area Specific Plan and Environmental Impact Report. There are some recommended changes in the description of MPUD's facilities, history and future projects. In addition, the Board wishes to convey recommended changes to the policies, standards and regulations.

Page 43 - Section 3. MPUD has accepted title to the total elevated storage tank at the hospital. There is no longer a reservation of 90,000 gallons storage for the hospital only. This reservation was made originally due to the hospital's location outside of MPUD boundaries. Since the annexation of the hospital property in 1984 the storage reservation is no longer necessary.

Page 44 - Section D. There is one unit process at the wastewater treatment plant that is operating at over capacity. The sludge dewatering process will need repair and additional capacity. MPUD and Mariposa County will be proposing a plan for a permanent septage receiving station which will include improvements to the sludge dewatering unit process.

Page 46 - Section F. The District fire fighting apparatus consists of two fire engines and no support vehicles.

Page 47 - Section F/Page 48 - Section A. The fire response inside of MPUD boundaries by CDF and the responses outside of MPUD by MPUD is provided by Mutual Aid and Automatic Aid Agreements between MPUD, Mariposa County and CDF. Wildland fires

A

within MPUD boundaries as well as outside of MPUD boundaries are CDF's responsibility. |

Page 50 - Section 2.1. Third paragraph - development moratorium should be changed to moratorium on sewer connections.

Page 80, 81, 82 - Sections 2.6.2 & 2.6.3. The MPUD Board recommends that the word "should" replace words "will, shall, and must" when reference to MPUD services is made. At the top of Page 81 end of the first paragraph, the MPUD Board recommends the word "identified" be changed to "recommends".

The MPUD Board is of the opinion that Item (H) on Page 81 is discriminatory. The MPUD Board is not willing to dedicate a percentage of available water connections to a particular type of development. The Board recommends Item H be deleted from the document.

Page 82 - Item D. ISO standards have not been adopted by MPUD although the District fire protection system is rated by the Insurance Services Office. The Uniform Fire Code is more consistent with the Uniform Building Code as well as being more of a generally accepted standard for fire protection. The implementation of parts of either standard would probably be included in a "fire service plan".

Page 114 - Item 3. Should include building standards adopted by the Calif. State Fire Marshal.

Page 131 & 132 - Section 3.25. The MPUD Board recommends the word "shall" be replaced with "should" in the first sentence of Section 3.25(B).

Page 146 & 147 -Section D. Items 3,4, & 5. If connection is made to MPUD water system, the Specific Plan should simply make reference to MPUD standards. MPUD has adopted standards for construction of water mains and fire hydrants. | B

Page 148 -Section 3.37(A). MPUD all ready has an ordinance in effect that requires new development to connect to the MPUD sewer. The MPUD Board recommends the statement "if MPUD supplies a written statement that adequate sewer connections have been reserved for the subdivision" be deleted. MPUD will not reserve a sewer connection without a permit being issued for the specific improvement on the parcel. Plans for construction of buildings, payment of permit fees, etc., are required before a permit is issued.

-3-

Page 197-198. The Farmers Home Administration has obligated funding for the project. Before any funds are received from FmHA certain conditions must be met.

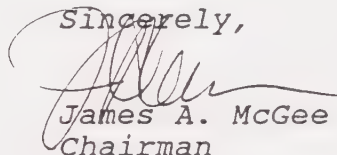
ENVIRONMENTAL IMPACT REPORT: If Mariposa County includes MPUD's recommendations in the Specific Plan, there are several corresponding changes that will be required in the EIR.

]

B

Thank you.

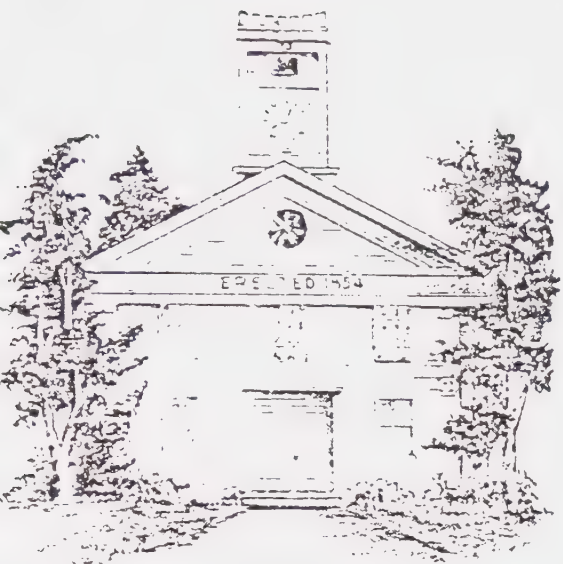
Sincerely,



James A. McGee
Chairman

MPUD Board of Directors

MLR:gp



MARIPOSA COUNTY COURT HOUSE
"OLDEST IN THE WEST"

August 6, 1991

Local Agency Formation Commission

*Mariposa County
(209) 966-5151*

*Post Office Box 2039
Mariposa, California 95338*

Mariposa County Board of Supervisors
P.O. Box 784
Mariposa, CA 95338

RE: Mariposa TPA Specific Plan Update and Draft
Environmental Impact Report

Dear Members of the Board,

The Mariposa County Local Agency Formation Commission (LAFCo) has reviewed the Mariposa TPA Specific Plan Update and Draft Environmental Impact Report for those matters pertaining to special districts subject to the authority of LAFCo and serving the TPA, namely the Mariposa Public Utility District (MPUD). The Commission commends the County for including the Local Agency Formation Commission in the review process and addressing the provision of services both within and outside the Mariposa Public Utility District. The Commission has the following comments on the documents:

- 1) The Commission supports MPUD's request to have the words "will, shall and must" as they relate to MPUD be replaced by the word "should" in Chapter 2 of the Specific Plan document. The Commission supports this request because Chapter 2 is the policy section of the Specific Plan and the requested change will allow for flexibility in adopting implementation standards.
- 2) The Commission recommends that the words "will, shall and must" as they relate to MPUD not be changed in Chapter 3 since this chapter is the regulatory standard section of the Specific Plan and set standards must be in place.

Aug. 6, 1991

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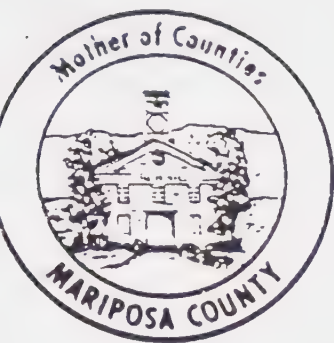
- 3) Pertaining to Section 3.25(B) of the Specific Plan, the Commission recommends that the Plan allow for a waiver by MPUD to the MPUD sewer connection requirement without further County approval based on adopted MPUD waiver procedures. The Commission further recommends the MPUD waiver procedures be reviewed and approved by the County before the waiver provision is added to the Specific Plan. This recommendation will reduce unnecessary County approvals for a sewer connection waiver when there are adequate waiver provisions adopted by MPUD to protect the public health and safety and comply with County standards while ensuring that such waivers are only granted under appropriate circumstances.
- 4) The prohibition of new private wells within MPUD as contained in Section 3.41(B) of the Specific Plan is strongly supported by the Commission. MPUD is the designated water provider for the District, and during these times of limited water availability for MPUD, it is important to protect MPUD's groundwater supply from further depletion which may affect service to existing and future development.
- 5) The Commission strongly supports the County's request to update the MPUD Sphere of Influence. The sphere of influence was adopted in 1980 prior to adoption of the first Specific Plan and is outdated in regards to both State law requirements and the existing circumstances and characteristics of the Town Planning Area and MPUD. The Commission has proposed budgeting funds for FY 1991-92 to undertake an update to the MPUD Sphere of Influence.
- 6) The Environmental Impact Report (EIR) adequately addresses and discusses the potential environmental impacts associated with an update to the MPUD Sphere of Influence. No revisions or comments are necessary to the EIR except as necessary for Comment #3.

The Commission looks forward to working with the County in an update to the MPUD Sphere of Influence. Tony Lashbrook, the Executive Officer for LAFCo, will be available to discuss our comments with the Board during the public hearing process.

Sincerely,



Barron E. Brouillette
Chairman, Local Agency Formation Commission



MARIPOSA COUNTY

4639 Ben Hur Rd.
Mariposa, CA 95338
(209) 966-5356

DEPARTMENT OF
PUBLIC WORKS

Divisions of:
Design & Construction
Administration
Operations

6

August 20, 1991

TO: Tony Lashbrook
FROM: Gwendolyn Foster

RE: Comments on Draft Mariposa Town Planning Area
Specific Plan & DEIR

Attached are corrections, comments and recommendations on circulation related items in the Mariposa Town Plan. Also included are responses to Caltrans comments on the DEIR. Items are arranged in their order of appearance.

The most important recommendation is that Antone Road be designed and built as a County Road, while the Mariposa Mine Loop be designated a State Highway route.

Please call me if you have any questions.

attachment

COMMENTS ON DEIR

ITEM: Summary 6--Traffic on State Highway 49 South

COMMENT/RECOMMENDATION:

Traffic increase on Highway 49 South may be significant.

MITIGATION:

A County-wide traffic study will determine impacts on the Highway, and develop funding for improvements. Possible highway improvements in the Fairgrounds area and encouragement of service development in eastern part of County could help reduce these impacts.

JUSTIFICATION:

Recent traffic count on Hwy 49 South at Hwy 140 approached 10,000 vehicles per day. The eastern area of the County will continue to use Mariposa as a service center until other facilities are developed.

ITEM: Summary 6--Traffic on State Highway 49 North

RECOMMENDATION:

Effect of commercial and professional office land uses will have a significant effect on traffic on Highway 49 between Highway 140 and Mariposa Creek.

MITIGATION:

A continuous left turn lane is included in the State Transportation Improvement Program.

JUSTIFICATION:

Since many of the parcels in this area are too small to develop a frontage road across them, and since there are no other alternate county roads for access, the State Highway in this area will serve this purpose. As is the case with most strip commercial development, a continuous left turn lane will help reduce conflicts with highway traffic. Antone Road, when developed, could help carry some of the local through traffic from Highway 140 and 49 South.

ITEM: page 33, level of service on Hwy 49

CORRECTION:

Highway 49 South was measured to have higher traffic volumes

than Highway 140 West. Highway 49 North is expected to have increased traffic volume due to planned land uses. See above.

ITEM: a), page 36, level of service E

COMMENT/RECOMMENDATION:

Level of Service should be established using accepted traffic engineering methods. As traffic counts are done every 3 years by the County & Caltrans, recommend these studies be conducted during same period. Also recommend that removal of all parking only be considered an option if pedestrian traffic can be handled safely.

ITEM: option #2, page 37, traffic volumes Smith Road

RECOMMENDATION:

Left turn lanes shall be constructed when funding becomes available and the projects can be included in the County's capital improvement program or in one of Caltrans' improvement programs.

JUSTIFICATION:

There may be more pressing projects within the County. The criteria used to select these projects should be uniform. Construction of the project should be based upon programming and funding considerations. Caltrans has already indicated that the projects will be necessary soon.

ITEM: a), page 37, traffic study for LOS E

RECOMMENDATION:

Measurement of level of service should be done by Caltrans to determine when action should be taken. Proposed improvements to the state highway should be placed into a State program when Caltrans determines that the highway has reached Level of Service E.

JUSTIFICATION:

Level of Service is based upon a traffic engineering procedure that may look at average highway performance and/or peak month. Completion of improvements depends on programming considerations as well as when certain conditions are reached. The County and/or Caltrans cannot always respond with highway improvements within a year.

RESPONSE TO CALTRANS' COMMENTS ON DEIR

ITEM: page 169--"Antone Road" intersection @ 49 S

RESPONSE:

An intersection for the planned road on the other side of the creek should be located away from the existing 49 S intersection. County staff would appreciate further discussion with Caltrans on the best location where a County road intersection could be constructed.

JUSTIFICATION:

Agree that the skewed intersection is not acceptable as shown. This was a conceptual drawing to show how placement of a road in this area might impact existing and planned improvements. An intersection and roadway designed as required by Caltrans would have even more of an adverse effect on Mariposa Creek in this area.

An alternative was considered for Highway 49 traffic bound for the Coakley Circle/Joe Howard Streets area. This would travel up the hill through the County Park.

ITEM: C, page 170--Mariposa Mine Loop/Hwy 49 S

RESPONSE:

This intersection should be properly designed to Caltrans specifications.

JUSTIFICATION:

Details of the intersection at Highway 49 S have not been resolved. One possibility that had been discussed involved installation of a grade separation bridge across Mariposa Creek and Highway 49 to meet Highway 140.

ITEM: page 170, Fig 26 & page 172, h.
Bullion Street "off-ramp" from Hwy 49 South

COMMENT/RESPONSE:

The concept of this improvement would be to allow Highway 49 South traffic to easily travel onto Bullion Street and through to the east side of town without travelling through the downtown. Southbound traffic on Bullion would still be required to turn left at the 3rd Street intersection with

Highway 49.

The current 3rd Street intersection, as traffic increases, may cause more of a conflict with major turning movements between the highways, similar to the problem caused by multiple driveways at the corner shopping center. For this reason, one alternative may be to move the 3rd Street intersection further or closer to the Highways intersection.

Another alternative, considered in the circulation study of the town, would be to provide a connection to Jones Street from Highway 49 S.

ITEM: 5, page 177--chokers

RECOMMENDATION:

Chokers should not be installed on the State Highways, or on streets where additional traffic flow is desired to reduce traffic on the State Highways.

JUSTIFICATION:

Highway 140 will be wider above 7th Street, which may increase speeds in that area. The installation of chokers would reduce speeds through the downtown, however, this would act against the purpose of the Highway. If a bypass by 49 and 140 were constructed, then chokers might be appropriate, in order to make Charles Street downtown a "local commercial" road.

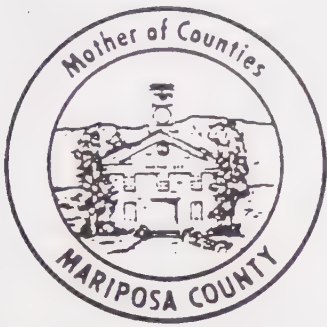
ITEM: 7, page 177

RECOMMENDATION:

Additional traffic on the side streets could help reduce traffic on the State Highway, therefore, diagonal parking on Bullion Street should not be established. Diagonal or right-angle parking can not be installed or permitted on County Roads, unless exclusively permitted by resolution/ ordinance.

JUSTIFICATION:

There are still locations in the downtown where parking could be located to serve the needs of the many existing small lots. There is a conflict in having Bullion serve as a reliever street for Highway 140, and also installing parking along the road.



Mariposa Air Pollution Control District

JON McMILLAN CHRISTENSON
Air Pollution Control Officer

4988 Eleventh Street, P.O. Box 5
Mariposa, CA 95338
Office: (209) 966-3689
Fax: (209) 966-5147

7

August 15, 1991

TO : Tony Lashbrook, Planning Director
FROM : Jon Christenson, Air Pollution Control Officer
SUBJECT: Town Plan - Air Quality Impacts

The Mariposa Town Plan Project will have a significant effect on the environment if it will cause a violation of any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. also, the project will have a significant effect on air quality if it conflicts with adopted environmental plans and goals of Mariposa County.

The Clean Air Act of 1970 established **air quality standards** for several pollutants. These standards are divided into primary standards, designed to protect the public health, and secondary standards, intended to protect the public welfare from effects such as visibility reduction, soiling, nuisance and other forms of damage. In addition, the State of California has adopted its own standards. See attached standards.

Development and land use projects include residential developments, shopping centers, and regional car staging areas. These projects may have substantial emissions due to the vehicle traffic associated with them.

EVALUATION OF AIR QUALITY IMPACTS ON MARIPOSA TOWN PLAN

1. Items to be evaluated

The following items should be taken into consideration when evaluating the air quality impacts of a proposed development or land-use project:

- a. Short-term emissions;

- b. Long-term emissions;
- c. Local scale analysis;
- d. Corridor analysis;

What short-term emissions are

Short-term emissions are generated during the site preparation and construction phase of a project. Short-term emissions include fugitive dust resulting from grading and materials handling, construction workers' vehicular traffic, and the exhaust from heavy-duty gasoline and diesel-powered vehicles.

What long-term emissions are

The long-term emissions associated with a project include both the direct emissions generated by the operation of the project and the indirect emissions induced by the project, the latter caused principally by the use of motor vehicles. This assessment should identify and analyze emission sources, i.e., motor vehicles, project operations, or power usage generated on the project site and by the utilities.

The factors to be considered when determining vehicle usage are:

- a. Number of vehicle trips associated with the project;
- b. Length of trips;
- c. Peak hour traffic count estimates;
- d. Percent cold/hot starts;
- e. Types of trips and average speeds;
- f. Vehicle miles traveled per day;
- g. The percent of stops and starts and average queuing times per intersection in estimating vehicle emissions;

What a local scale analysis is

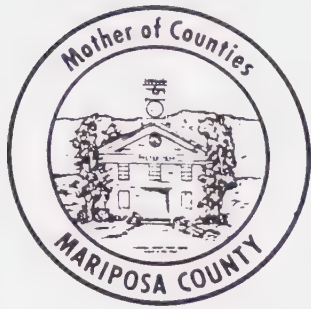
A local scale analysis is an estimate of a project's air quality impact in the vicinity of project. special emphasis should be placed on identifying locations of sensitive receptors such as hospitals and schools and the actual exposure to pollutants. Concentrations of carbon monoxide and lead are of primary concern.

What a corridor analysis is

When a project acts as a generator or attractor of vehicle trips which may result in a significant change in level of service of local roadways, freeways, or arterials, the affected transportation corridor should be analyzed.

In conclusion the California Clean Air Act of 1988 (CCAA) requires air pollution control districts to adopt, implement, and enforce transportation control measures to the degree needed to meet state air pollution standards. Programs are required to reduce emissions from areawide or indirect sources and to reduce the number or length of trips. (Health and Safety Code, Section 40716).

cc: Charles B. Mosher, MD, Health Officer
Air Pollution Control Board



MARIPOSA COUNTY

P.O. Box 784

Mariposa, California 95338

May 29, 1991

To: Tony Lashbrook, Planning Director

From: Historical Sites and Records Preservation Commission *1059*

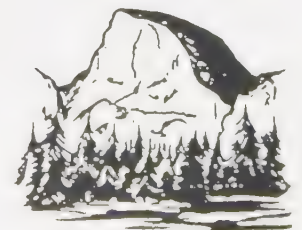
Subject: Mariposa Specific Plan Update and Draft
Environmental Impact Reports

This Commission is responding to your memorandum dated May 3, 1991. Historic aspects and goals in the Specific Plan are adequately stated in sections for incentives for renovation, preservation, alternate uses and even demolition of historic resources. Further, the goals, standards and requirements for design of commercial or planned developments are well prepared toward matching same with the total historic tone of the community.

The Commission recommends that it have representation on the "Design Review Committee" appointed by the Board of Supervisors (see page 109 of the Mariposa Specific Plan). It seems logical since our efforts, experience and concerns relate to the entire County, that such representation should apply to other Specific Plans as well.

In regard to the Draft Environmental Impact Report, it too is well prepared and seems to adequately address our concerns which relate to historical resources. The discussion and provisions of mitigating measures in this area answer our concerns.

Thank you for requesting our review and comments.



DONALD J. STARCHMAN

ATTORNEY AT LAW

5320 Highway 49 North, Suite 5
Mariposa, California 95338

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(209) 966-6111

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(209) 966-4388

July 8, 1991

Charles Fall
Chairman
Mariposa County Planning Commission
P.O. Box 2039
Mariposa, CA 95338

Dear Charlie:

The following comments are in reference to the Mariposa Town Planning Area Specific Plan Draft Environmental Impact Report:

P. 6 A 1a - totaly ignores uniform building code and required soils report for subdivision, Page 7 has a statement that most of the soils are 15% or greater, yet throughout this document 15% and greater are referred to as hillside standards. Hillside standards should be for 25% or greater.

P. 11 - Mitigation Measure b) change shall to should. This language would preclude the existing work being done by Cal Trans

P. 12 - Mitigation measure "d" is an over kill. The proposal is already to down zone to 20 acre minimum.

P. 17 - Leave well standards out of this document. The county already is addressing county wide well standards.

P. 39 c - Note that "... there is an overwhelming need for additional housing in the TPA." Yet development standards are being presented which make it impossible to develop much of the TPA in an environmentally and economically sound manner.

Unrealistic road standards must be addressed.

P. 40 - Where is the environmental impact of the construction of 54 feet of road improvements on Smith Road addressed?

P. 42 - By adopting an environmentally sound design, the \$600,000. figure can be greatly reduced.

P. 80.3 - Please note language in the last two paragraphs; this needs to be stressed throughout this process.

A
B
C
D
E
F
G

P. 81 and 82 - It is impossible to preserve the "small town flavor of the community" with the existing road standards and the lack of a Planned Residential Development Standard which allows a great deal of flexibility and creativity

[

H

Appendix B - We should not remove all of these areas from the TPA. We should instead look at creative ways to develop the more moderate slopes , while protecting the steeper slopes.

[

I

Sincerely,

Donald J Starchman

TO: THE PLANNING COMMISSION
THE PLANNING DEPARTMENT
THE BOARD OF SUPERVISORS

Re:

THE DRAFT T.P.A. SPECIFIC PLAN

and

ENVIRONMENTAL IMPACT REPORT

1985-1991

from

Michael Czaja



THE T.P.A. SPECIFIC PLAN 1985-1991

Back in 1985 the Board of Supervisors formed the Mariposa Community Planning Advisory Council to update the 1981 Specific Plan that had never come into being operative.

The Council finished its work in 18 months. Meetings were open to the public and considerable input was obtained in this manner. Issues were openly debated and written proposals voted on only after 3 or 4 drafts. As the study progressed full presentations were made in open discussion, first with Supervisors Leroy Radanovich and Eric Erickson, and a second time to the Chamber of Commerce and the business sector. There were two additional structured meetings with residents and business people from the north Hwy 49 area. The Council acted with unusual diligence in putting their work before all sectors of the community. The final recommendations for the modification of the Specific Plan were published in the Spring of 1987.

The process of moving the Council's Report through review stages and on to adoption has taken four years. The reasons are many. First, the Planning Dept. was understaffed and occupied with the Golden Bell Mining Project. Secondly, the Board prioritized the adoption of Title 17 although the Specific Plan Report was in line ahead of it. The Planning Commission took its time with reviewing the Report, scheduling it only at regular meetings as the work load permitted. The attitude of the Commission was expressed by Kathleen Bagwell at a meeting at which I was present - that there was no hurry in processing the Specific Plan since the 1981 Specific Plan had come into force with the adoption of Title 17, and a year's trial run would show whether it would do the job. The implication was that maybe it didn't need updating.

Putting that incident aside, the Planning Commission was deliberate as it examined and cross-examined every line of the "recommendations" and made constructive input of their own - they did a very thorough job. In following months the Board of Supervisors approved the 1987 Report and instructed the Planning Dept. to produce a new Draft Specific Plan and E.I.R. The new documents were published in the Spring of 1991.

After 6 years of hard work by so many honest and dedicated people who were involved in producing this Plan it is most unkind to have Don Starchman and others label the efforts of the Council, the Planning Department, and the Planning Commission as "cavalier. The proposal that final action by the Commission

be delayed three or four months is badly motivated. The request for spot rezoning of lands to accomodate projects in the embryonic stage of design and to grandfather these projects violates the integrity of the planning process. It is shameful. The events that occured in the Commission meeting on June 21, 1991, can be viewed only as efforts to thwart reasonable, sound planning in this community. The Commission should dismiss these overtures, outright and with prejudice.

EVALUATION OF THE SPECIFIC PLAN

What should the Community expect of the new Specific Plan? Does it improve on the old one? Are goals and policies for a better quality of life clearly stated, and are they workable and realistic? Is the proposed land use structure designed to protect human values as well as providing for future growth? Is it fair to all segments of the community, or is it biased in favor of one sector or another? Does it provide for participation by its citizens and allow for a responsible leadership by elected officials at the same time? Does it have a vision for the future of the community? How does the Plan measure up against probing questions of this kind?

THE CONCEPTS, GOALS, OBJECTIVES AND POLICIES OF THE SPECIFIC PLAN ARE CLEARLY SET OUT IN SECTION II ON PAGES 50 TO 82. THESE PAGES ARE THE KEY TO UNDERSTANDING THE WHOLE DOCUMENT.

This Specific Plan is systematically concerned with being responsive to the goals and objectives of the County's General Plan as required by State law. The specific elements/^{which} the Plan deals with start with Land Use, Open Space and Conservation Elements, and go on through Circulation, Housing, Noise, Safety, Seismic Safety, Recreation, Historic Preservation, etc. In the body of the pages that follow the listed elements, and more, are discussed in detail with performance standards set up for their implementation. The Draft E.I.R. that is partner to the Plan is a critical examination of the Draft Specific Plan with mitigation measures planned to reduce impacts to insignificant levels. This volume is exceptionally well done. In these two volumes the Planning Dept. has done an exemplary job of creating a mechanism to deal with the growth and management of the community on a long term basis.

I therefore recommend with strongest conviction that the Planning Commission support the Draft Specific Plan and E.I.R. by encouraging its adoption by the Board of Supervisors.

I would like to add a caution that the Commission not be sidetracked from taking this action by nitty-gritty concerns such as the numbers of animals that may be kept on small lots, etc., nor by self-serving requests to change land uses to accommodate anticipated projects. The normal planning process includes opportunities for accomplishing variances, for rezoning, for Planned Unit Development projects and dealing with non-typical problems. This new 1991 Specific Plan will be seen in years to come as a milestone in the development of planning awareness in this community.

CRITICAL COMMENTS

The following comments may be useful in reconsidering specific items for modification:

120 BUILDING HEIGHT, 2 stories or 35'

A 35' height could accommodate a 4 story structure on a 15% slope with a 4/12 roof pitch. Recommend checking such regulations by drawing them to scale.

94 PLANNED DEVELOPMENT

Paragraph b,3 and b,4 should be illustrated with examples such as: a small park, club house, swimming pool, pond, vegetable garden, golf course, etc. The Mariposa Vista Estates project does not comply with the requirements, and yet was accepted as doing so by the Planning Dept.

142 SLOPE DENSITY

The chart on the following page suggests development on slopes up to 60% and beyond. If there is to be a bona-fide Preservation District, building on slopes above 20% (or 30%) should not be allowed at all.

201 PUBLIC IMPROVEMENT PROGRAM

How does the (a) Redevelopment Program sponsored by Jim Evans mesh in with the extensive P.I.P. outlined in these pages? These seem to be two similar but separate programs that need coordinating.

Neither P.I.P. nor R.P. recognize that the improvement and extension of Jessie Street southwardly, to connect the two public parking lots below 5th and 6th Streets, and connecting to Hwy 140, would solve circulation and parking

problems as well as creating considerable commercial acreage for development in the most central location of our commercial district. Circulation via Jessie St., Coakley Circle & Joe Howard St. to 49N should be part of this study.

201 + LAND USE MAP

The Professional Office-Commercial zoning along Hwy 49 extends the Commercial District from Hwys 140/49 south to the USFS property - more than a mile in length. This will result in a decentralization of the downtown commercial district, decrease the drawing power of "old downtown," increase traffic on Hwy 49 north, and replicate Oakhurst in Mariposa. If I have heard this once, I have heard it a thousand times - "Keep Mariposa beautiful; we don't want another Oakhurst." Facing commercial development on Hwy 49 north and on Miller Road (south end) will do exactly that - replicate Oakhurst.

The solution at Hwy 49 N is to develop two interior roads, one on each side of and parallel to Hwy 49 and face development on these. This will eliminate multiple driveways and parking lot entrances from the Highway while doubling commercial frontage.

The new Specific Plan has not included this concept although it was thoroughly discussed by the Planning Council. There is a great need for the Planning Dept. to do prototype land planning (layout) in anticipation of developers' proposals. Private developers cannot assume this kind of design responsibility.

The Miller Road or "Little Hollywood" area is not suitable for commercial land uses because of bad access and circulation, steep terrain for parking and for structures. It is not the best environment for residential use but it is worse for commercial uses.

157 + GOVERNMENT CENTER

Section 4.1 outlines the background of the current piecemeal approach to dealing with County space needs. Section 4.1 does recognize that the Court-house has been the center of government activity since 1855 and should be the core of future development. However, what follows does not offer a VISION of a County Seat of the Future. There is no POLICY, no MASTER PLAN, and no Departmental organization to deal with research, design and construction of buildings, and open spaces. A concept for a Civic Center should include cultural facilities as well as government and legal administrative facilities. County administrators should recognize that "space needs" are infrastructure that needs to be dealt with in an organized, professional manner as are water

supply, sewerage systems, and roads. "Space Needs" needs a Department or at least a separate full time administrator.

The objection to this proposal, that of cost, does not stand up. Currently with every response to space needs crises consultants are hired to make special studies such as: Jail @ \$30K, Industrial Zoning @ \$30K, Circulation and Roads @ \$20K, Transit Study, Yosemite @ (), History Center Parking Lot @ (), Parks & Recreation Open Space @ (). These monies would be better spent to retain a competent architectural and planning engineering firm in Fresno (on-going basis) to solve Space Needs problems. The alternative would be to add a civil engineer to the Public Works staff and an experienced senior architect to the Planning Department staff.

These two alternatives should be studied thoroughly before a choice is made since each has different advantages.

IN CLOSING

The Specific Plan and E.I.R. can be a most constructive instrument in guiding the future development of our community toward a healthy, safe, and prosperous environment for good living. The Community Planning Council, the Planning Commission, and the Planning Department deserve our hearty congratulations. Thank you for this opportunity.

Sincerely,



Michael Czaja
Mariposa, CA



Submitted at P.C. meeting

MOTHER LODE
PROPERTIES, INC.

PO BOX 1129
5131 HIGHWAY 140
MARIPOSA, CA 95338
BUS. (209) 742-7000
FAX (209) 742-7020

Mr. Tony Lashbrook
Planning Director
Mariposa County Planning Department
P.O. Box 2039
Mariposa, CA 95338

Re: Draft EIR for Mariposa TPA Specific Plan

Dear Mr. Lashbrook,

We had reviewed the Draft EIR of the Mariposa TPA Specific Plan and have comments to offer on several issues that we would like incorporated into the document, specifically as follows:

Water- Hydrology and Drainage

The mitigation measure indicated to prohibit new private wells within the MPUD district constitutes a virtual building moratorium in the Townsite.

The finding is not conclusive to justify this mitigation measure. We understand a typical water table does not exist and no hydrological studies have been conducted to determine the amount of available underground water within the Townsite.

The MPUD has a moratorium on new water hook-ups and does not plan any significant modifications to this plan until the Saxon Creek Water Project is on line. The goals and objectives of the Specific Plan cannot therefore be implemented.

There is no evidence that new wells drilled by the private sector will diminish the quality and quantity of wells drilled by the MPUD. To allow the drilling of new wells by the MPUD district while at the same time prohibiting the drilling of new wells by the private sector is an infringement upon property rights.

Earth - Geology and Soils

The land use plan relative to the location of "light Industrial" and "~~general commercial~~" uses within and adjacent to the Mariposa Creek Flood Plain is inconsistent with the mitigation measures as outlined in the section.

Industrial research

A Light Industrial and General Commercial zone is appropriate within the Town Planning Area but cannot logically be located in the indicated area. Only a very few acres of the large parcel designated ~~Commercial~~, formerly the site of the "sand and gravel" plant on Highway 49 South is usable. The remainder is in the creek and the flood plain. To be developed as General Commercial would require major modifications to Mariposa Creek.

The opening up of an Industrial Research designation, although exciting in terms of diversification of the economy and certainly justified, cannot reasonably be located in the Mariposa Creek bed and floodplain West of Highway 49 North. This area is identified on the FEMA Flood Plain Map and a recent private Flood Plain Study confirms this location as flood plain. Buildings here would cause unacceptable alterations of the drainage patterns and water courses of the Creek and could not be meet the requirements of the grading plan ordinances.

Seeing there is only so much land available within the Mariposa Townsite, we are suggesting the Mariposa Townsite be expanded in order to provide for Industrial Research to be located in a more appropriate area in terms of topography, impact on commuter traffic and utilities. The expansion of the TPA to include more land in the Fairgrounds/Ben Hur area may be appropriate.

Traffic Impact - Smith Road Impact Fee Program

Smith Road impact fee: Agree with the idea of a special assessment district and developer impact fee on new construction as way to accumulate the necessary funds for street improvements however; question the validity of the assumptions and methodology used to gather, compile and evaluate the statistics. We suggest a indepth professional study be conducted to determine the development potential based on the adopted plan using assumptions and generally accepted methods used in the field of traffic engineering and that a verifiable "Cost of Road Improvements" be incorporated into the study, prior to this plan being adopted by the County Board of Supervisors.

Thank you for the opportunity to provide input to the Draft Impact Report.

Sincerely,

COLDWELL BANKER MOTHER LODE PROEPRTIES INC.,


Roberta M. Standen

SECTION V

LEAD AGENCY RESPONSES TO COMMENTS ON THE MARIPOSA TPA SPECIFIC PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT

Response to Comment Document #1

The California Department of Food and Agriculture states the Specific Plan will not result in the conversion of agricultural land to non-agricultural uses. This is discussed in the Draft EIR and no response is necessary.

Response to Comment Document #2

The California Department of Fish and Game (DFG) states the mitigation measures contained in the Draft EIR are insufficient to mitigate potentially significant impacts on wildlife resources and consequently the Specific Plan as proposed and subsequent development will have a significant impact on wildlife resources. To mitigate potential impacts to a non-significant level, the Department of Fish and Game recommends additional mitigation measures: (1) establishing a 200+ feet riparian corridor along Mariposa Creek which prohibits future development; (2) prohibiting the removal of native riparian vegetation; and (3) requiring any diversion or obstruction of Mariposa Creek to comply with the Fish and Game Code.

Section 4.D(1) of the Draft EIR concurs with DFG's statement that the Specific Plan and subsequent development will adversely impact wildlife resources, especially the riparian habitat along Mariposa Creek. The Draft EIR states Mariposa Creek riparian habitat may be impacted by the conversion of riparian habitat to urban uses and the intensification of compatibility conflicts with adjacent urban uses which are not conducive to the preservation of habitat or utilization by wildlife. The Specific Plan proposes development standards, including the mitigation measures contained in Section 4.D(1), to protect the riparian habitat from conversion to urban uses and incompatible adjacent uses. The Draft EIR contains a mitigation measure which establishes a building and fill setback from Mariposa Creek to address potential flood impacts. No buildings or fill placements can be located within 50 feet from the centerline of Mariposa Creek or the 100-year floodplain which extends in some areas to 80 feet from the centerline of the creek. Grading is not specifically prohibited within the setback, but grading on commercial, industrial, and multi-family residential parcels which extend along most of the creek cannot occur except in conjunction with an approved project. The development project must be consistent with the Specific Plan's design review standards which establish Mariposa Creek as an open space area for flood control, recreation, pedestrian circulation, and community enhancement purposes and requires individual development to observe

and enhance the open space area. In addition, drainage easements are required along Mariposa Creek for any residential subdivision fronting the creek. Thus, the Specific Plan will substantially restrict development along Mariposa Creek that may remove riparian vegetation or be incompatible with the riparian habitat.

In order to adequately mitigate the potential impacts on the riparian habitat and wildlife along the creek, DFG states additional mitigation measures are necessary. These mitigation measures include a 100' buffer from the edge of the riparian habitat which prohibits all development and a prohibition against the removal of native vegetation. These mitigation measures are unreasonable and excessive for mitigation of the potential impacts to a non-significant level. This statement is supported by the following:

- 1) Riparian vegetation along Mariposa Creek does not extend beyond the 100-year floodplain and the 50' setback. The prohibition of building and fill placements within the floodplain and the community design review standards will ensure that development permitted by the Specific Plan will not convert significant amounts of riparian habitat to urban uses or be incompatible with adjacent riparian habitat. An additional 100' buffer will not protect riparian habitat along Mariposa Creek to a reasonably or substantially greater extent than the proposed Specific Plan standards.
- 2) Although the Specific Plan does not specifically prohibit the removal of native riparian vegetation, the standards previously mentioned will protect riparian vegetation from removal by permitted commercial, industrial, and multi-family residential development. Riparian vegetation may be removed for single family residential development, but this amount will not be substantial in comparison to the total amount of vegetation. In addition, the total prohibition of native riparian vegetation may result in overgrowth which may hinder use by wildlife. The prohibition of the removal of native riparian vegetation will not reasonably protect substantial amounts of native riparian vegetation from removal which are not already protected by the proposed Specific Plan standards.
- 3) A secondary benefit of the Mariposa Creek floodplain setback is the creation of an open space corridor. The Board of Supervisors has designated Mariposa Creek from the Fairgrounds to Highway 49 North as a future creekside park. This creekside park project is included as a public improvement project in Section 4 of the Specific Plan and will enhance the creek as a wildlife resource by retaining native vegetation; removing intrusive non-native species; revegetating the stream channel with native species; and restoring and protecting bird and wildlife habitats along the creek. Although the project proposes pedestrian and bike paths, bridges, and rest areas, a Negative Declaration was

adopted for the project stating the Mariposa Creek Project will not have a significant impact on wildlife resources or the riparian habitat along Mariposa Creek.

The mitigation measures contained in the Draft EIR will adequately mitigate potential impacts to wildlife resources along Mariposa Creek, including riparian vegetation, to a non-significant level. Nonetheless, DFG correctly states any diversion or obstruction of the natural flow or alteration of the creek channel is subject to Sections 1601 to 1603 of the California Fish and Game Code. In that minor grading within the Mariposa Creek floodplain is still permitted under the Specific Plan, the statutory requirements of Sections 1601 to 1603 of the Fish and Game Code have been incorporated into Mitigation Measure No. A.3(b) to require a Streambed Alteration Permit or waiver from DFG for grading within the Mariposa Creek setback area. This will ensure that the Department of Fish and Game has review authority over creek obstructions or alterations which may impact wildlife resources along Mariposa Creek.

The amended mitigation measure is stated in Section VI(B.3) of the Final EIR.

Response to Comment Document #3

The California Department of Transportation's comments are on the public improvement programs indicated in Section 4 of the Specific Plan document. The programs commented on by CalTrans are not mitigation measures but rather potential circulation and parking improvements identified in the Specific Plan. These potential improvements are identified as alternatives and options which should be further studied by the County to address future circulation issues in Mariposa. The Board of Supervisors has not approved, adopted, or funded these programs, and an environmental document will be required for these programs in accordance with the California Environmental Quality Act prior to their approval, funding, and implementation.

No response is necessary to these comments for the following reasons:

- 1) The identified programs are potential circulation and parking improvements to be studied by and acted upon by the County at a later date.
- 2) In that priorities and timetables have not been established for the alternative circulation and parking improvements, potential impacts which may result from such improvements are too speculative for evaluation at this time.
- 3) The approval, funding, and construction, of the improvement programs will be subject to the requirements of the California Environmental Quality Act. Environmental documentation will be prepared for all improvement programs prior to implementation.

- 4) The improvement programs identified by CalTrans are not mitigation measures listed in the Draft EIR.

Response to Comment Document #4

The Mariposa Public Utility District (MPUD) has provided up-to-date and accurate information concerning MPUD and comments on specific portions of the Specific Plan with a reference for necessary corresponding changes in the Draft EIR. The response to this information and comments is as follows:

Comment #4A--The information on MPUD included in the Community Profile of the Specific Plan and incorporated by reference into the Draft EIR will be amended to reflect the up-to-date and accurate information provided by MPUD. In addition, the information on MPUD has been updated to reflect circumstances which have changed since MPUD's comments. The necessary amendments and additions have been made to the Community Profile. Since the Community Profile is a referenced and incorporated document, no revisions are necessary to the EIR.

Comment #4B--MPUD's comments on the Specific Plan do not affect mitigation measures contained in the Draft EIR except for Section 3.35(D)(3) which requires installation of fire hydrants for residential development. MPUD has commented that development located within MPUD should install fire hydrants in accordance with MPUD standards which may be different than the proposed standard. The MPUD is the fire protection agency for property within MPUD and their standards will ensure adequate sizing and spacing of fire hydrants. Based on their comments, Mitigation Measure No. H.1(c)(c) has been amended to state that fire hydrants for residential development within MPUD will be installed in accordance with MPUD standards. The amended mitigation measure is stated in Section VI(B.7) of the Final EIR. No other revisions to the Draft EIR are necessary to respond to MPUD's comments.

Response to Comment Document #5

The Mariposa Local Agency Formation Commission concurs with the mitigation measure prohibiting new private wells within MPUD and states as a responsible agency that the Environmental Impact Report adequately addresses and mitigates potential impacts associated with the proposed update to the MPUD sphere of influence. No response is necessary.

Response to Comment Document #6

The Mariposa County Department of Public Works has commented on specific sections of the Draft EIR and has also provided a response to CalTrans' comments on the Draft EIR (Comment Document #3). The

responses to the Department of Public Work's comments are as follows:

Comment #6A--The Public Works Department concurs with the Draft EIR conclusion that traffic increase on Highway 49 South may be significant. The traffic study indicated in Mitigation Measure No. G.1(b) may be incorporated in the County-wide traffic study recommended by the Public Works Department. As the mitigation measure does not prohibit the traffic study for the Ben Hur Road and Fairgrounds Road intersections being done in conjunction with a County-wide study, no revision to the mitigation measure is necessary.

Comment #6B--The Highway 49 North continuous left-turn lane improvement program as contained in the State Transportation Improvement Program is new information not available at the time of the Draft EIR preparation. This new information and amendments to the Highway 49 North mitigation measures have been incorporated into the EIR. The amendments are contained in Section VI(B.5) of the Final EIR.

Comment #6C--The comment states that traffic levels on Highway 49 South are greater than Highway 140 West. The last sentence of Paragraph #2 of the discussion on traffic impacts has been revised to clarify that traffic levels on Highway 49 South are less than Highway 140 between Highway 49 South and North. The amended sentence is stated in Section VI(A.1) of the Final EIR.

Comment #6D--Since the level of service for a segment of highway is determined by CalTrans, the level of service for segments of the highway will be determined by using traffic engineering methods accepted by CalTrans. The Public Works Department requests that the studies be conducted every three (3) years instead of two (2) years because traffic level determinations are conducted at three year intervals by CalTrans and the County Public Works Department. Since the mitigation measure is based on level of service determinations, Mitigation Measure No. G.1(a) has been amended to state the traffic studies will be conducted once every three (3) years. The mitigation measure requiring the reduction and removal of parking along Highway 140 in the downtown area was developed in conjunction with Mitigation Measure G.4(b) which requires improving public parking in the downtown area and promoting safe, visible, and convenient access for pedestrians. Mitigation Measure No. G.4(b) will be implemented prior to or concurrently with the reduction or removal of parking along Highway 140. No amendments to the Draft EIR are necessary for this response.

Comment #6E--This comment supports adopting Option #1 of Mitigation Measure No. G.2(c) rather than Option #2. The Public Works Department's comments have been noted and will be taken into account in the adoption of the appropriate mitigation measure. No amendments to the Draft EIR are necessary for this response.

Comment #6F--The level of service will be determined by CalTrans or by the County utilizing traffic engineering methods accepted by CalTrans. The urgency of improving traffic flow along the main traffic corridor of Mariposa necessitates the need for the quick responses indicated in Mitigation Measure No. G.1(a). Requesting the placement of the left-turn channelization improvements into the State Transportation Improvement Program only when the Level of Service reaches an E level will result in the improvements being constructed several years after traffic flow has reached unacceptable conditions. This will result in significant traffic impacts on Highway 140 not being mitigated for an extended and unacceptable period of time. The mitigation measure will require the County and/or CalTrans to adopt improvement plans and funding mechanisms before the level of service on Highway 140 reaches an E level. This will allow the County and/or CalTrans to construct highway improvements within a reasonable period of time after traffic flow becomes unacceptable. No amendments have been made to the Draft EIR in response to this comment.

Comments #6G--The Public Works Department has provided a response to CalTrans' comments on potential circulation and parking improvement programs identified in the Specific Plan. The EIR response to CalTrans' comments is found in the "Response to Comment #3".

Response to Comment Document #7

General information on potential air quality impacts in the County and methods to identify these impacts is provided by the Mariposa County Air Pollution Control Officer. It is stated the Specific Plan may have a significant effect on air quality if the Specific Plan and subsequent development will cause or contribute to a violation of ambient air quality standards. However, the Air Pollution Control Officer does not state or provide information that the Specific Plan and subsequent development may impact air quality beyond that discussed in the Draft EIR. Lacking this determination, no amendments are necessary to the Draft EIR relating to air quality.

The Board of Supervisors will be considering the air pollution standards and control measures discussed in the last paragraph of the comments in the near future to address air quality in the County.

Response to Comment Document #8

The Mariposa County Historical Sites and Records Preservation Commission, an advisory body to the Board of Supervisors, has stated the Draft EIR adequately addresses potential impacts relating to historical resources. No response is necessary.

Response to Comment Document #9

The following responses address specific comments raised by Donald J. Starchman:

Comment #9A--The Uniform Building Code and soils report for subdivisions address building pad and foundation construction to ensure structural integrity and safety and do not address potential soil impacts (e.g. soil erosion) unrelated to structural integrity which may be caused by soil compaction and altered water absorption rates and drainage patterns. In addition, the Soils Report is only required on future parcels which may be created by subdivisions for five (5) or more parcels. The mitigation measures are supplementary to the County Grading Ordinance to provide more intensive review and standards for grading on moderate to steep slopes. The Board of Supervisors has modified the mitigation measures so they are implemented on slopes greater than 20% rather than 15%. The amended mitigation measures are discussed and stated in Section VI(B.2, B.3) of the Final EIR.

Comment #9B--The mitigation measure has been incorporated into the Specific Plan as a development standard which will be applicable to private development projects and County public improvement projects. CalTrans is exempted from County standards as it is a State agency. In addition, the construction work on Highway 140 has been completed.

Comment #9C--The mitigation measure addresses visual impacts which may result from development on the hillsides and ridges. The preservation of the hillsides and ridges in a natural appearing state has been identified as a key objective in achieving the goals of the Specific Plan. Although the minimum parcel size is 20 acres on the hillsides, development may occur on the hillsides and ridges on existing and future parcels. Since the hillsides and ridge are highly visible from the town of Mariposa and the State highways, the Draft EIR concluded that any development on the hillsides and ridges may significantly impact the aesthetic and natural quality of the hillsides and ridges. Hence, screening is required by the mitigation measure to reduce visual impacts created by development on the hillsides and ridges to a non-significant level. No amendments to the Draft EIR are necessary to address this comment.

Comment #9D--The Board of Supervisors has not adopted County-wide well standards. The comment does not state the mitigation measure is not necessary but rather how it should be implemented. The comment has been noted and considered in determining how the mitigation measure will be implemented through the Mitigation Monitoring and Reporting Program.

Comment #9E--The comment is a general statement that the mitigation measures contained in the Draft EIR will make it impossible to develop property in the Town Planning Area in an environmentally and economically sound manner. The comment is policy-oriented and cannot be adequately addressed in the response to comments. The Draft EIR is an informational document which analyzes potentially significant environmental impacts, including impacts on housing, that may result from the Specific Plan and includes necessary mitigation measures and alternatives which will allow development in the Town Planning Area to occur in an environmentally sound manner. The Draft EIR concludes the Specific Plan will not significantly impact housing in the Town Planning Area. The Specific Plan is the policy and regulatory document which takes into account and balances economic, housing, environmental, and other issues. The "balancing" of these competing interests and issues and the feasibility of mitigation measures will be determined by the Board of Supervisors through the adoption of the Specific Plan. In addition, the comment refers to a section which provides an option for a "Statement of Overriding Considerations" for the Smith Road improvements. A "Statement of Overriding Considerations" finding is acted upon at the Specific Plan approval stage and not at the EIR certification stage. The comment has been noted and considered.

Comment #9F--The mitigation measure for Smith Road requires minimum travel lane, shoulder, and pedestrian path improvements. General impacts which may result from the widening of Smith Road (e.g. increased traffic and development in the area) have been considered in the Specific Plan and Draft EIR. The Board of Supervisors has reduced the necessary improvements for Smith Road and approved a general cross-section of the improvements. However, specific engineered improvement designs and cross-sections for the improvements have not been developed and the mitigation measure has been incorporated into the Specific Plan as a public improvement program. Lacking a specific engineered improvement design, specific impacts which may result from the widening of Smith Road cannot be determined in the Draft EIR. However, prior to the establishment of the development impact fee program or approval and construction of the improvements, the specific improvement designs for the Smith Road widening will be established and the project will be reviewed in accordance with the requirements of the California Environmental Quality Act to address potential environmental impacts. Environmental documentation will be prepared for the project prior to its implementation.

Comment #9G--The comment has been noted and considered.

Comment #9H--The comment is a general statement in the alternatives section on the inconsistency between implementing existing County Road Improvement and Circulation Policy standards and preserving the small-town characteristics of Mariposa; the comment does not address specific environmental

impacts. The Specific Plan does contain a planned unit development overlay district which permits flexible development and improvement standards for residential development, and the County Road Improvement and Circulation Policy allows for alternative road standards for residential developments. In addition, the Board of Supervisors has established policy in the Specific Plan to encourage reduced road standards for residential developments to enhance community character. This comment has been noted and considered, and no amendments to the alternatives section of the Draft EIR are necessary for this comment.

Comment #9I--Appendix B is a listing of those properties for which the town planning area boundary line must be adjusted to follow legally definable lines as required by State law. The properties have not been removed from the Town Planning Area because of the steepness of their slopes. No amendments to the Draft EIR are necessary for this comment.

Response to Comment Document #10

The comments from Michael Czaja address the Specific Plan only and do not address mitigation measures contained in the Draft EIR except for the moderate to steep slope development standard. The comment states no buildings should be constructed on slopes greater than 20%. The Draft EIR concluded that development could occur on moderate to steep slopes without significant environmental impacts provided there are special grading and development standards and reduced densities on the slopes. The Draft EIR contains mitigation measures to require these special standards and reduced densities. No amendments to the Draft EIR is necessary for this comment.

Response to Comment Document #11

The following responses address specific comments raised by Roberta M. Standen:

Comment #11A--The prohibition of new private wells will not constitute a "virtual" building moratorium. New development is permitted provided the development obtains water from MPUD or develops a individual water source which is controlled by MPUD. The comment states "there is no evidence that new wells drilled by the private sector will diminish the quality and quantity of wells drilled by MPUD". However, the Draft EIR concludes that the factors of an unknown finite amount of subsurface water and the limited water supply of MPUD indicate that the new private wells within MPUD have the potential to impact MPUD wells and this impact may be significant to existing MPUD water users and the ability of MPUD to provide water service. Any impact which has the potential to be significant must be feasibly mitigated to a non-significant level in accordance with the California Environmental Quality Act. The Draft EIR concluded the

prohibition of new private wells will substantially protect the MPUD water supply in that new water sources will be developed in accordance with the standards of MPUD.

Comment #11B--The land use plan is not inconsistent with the specified mitigation measures of the Draft EIR. The land use plan indicates the permitted and conditional uses of a particular parcel but any such uses must comply with development standards which are applicable to the uses. The mitigation measures have been incorporated into the Specific Plan as development standards, and all development must comply with these standards. Thus, the land use plan and development standards work in conjunction to designate permitted development on a parcel. The remainder of the comment is policy-oriented, and no response is necessary.

Comment #11C--The information provided on the Smith Road development impact fee program is contained in the Specific Plan. Any development impact fee program established to implement the Smith Road mitigation measures will have to comply with the requirements of State law before the fees can be imposed on development in the Smith Road area.

SECTION VI

AMENDMENTS TO MARIPOSA TPA SPECIFIC PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT

A. Discussion

- 1) This amendment is made pursuant to a response to a comment by the Mariposa County Public Works Department. The last sentence of the second paragraph of the discussion section on Page 33 is amended as follows:

". . . but these highways have substantially less traffic than Highway 140 between Highway 49 South and Highway 49 North with better traffic flow, . . ."

B. Mitigation Measures

- 1) This amendment is made pursuant to a determination from the Board of Supervisors. Mitigation Measure No. A.1(a) on Page 6 is amended to state the mitigation measure applies to grading ". . . on slopes 20% or greater".
- 2) This amendment is made pursuant to a determination from the Board of Supervisors. Mitigation Measure No. A.1(d) on Page 6 is amended to state the mitigation measure applies to ". . . parcels which have an average slope of 20% or greater".
- 3) This amendment is made pursuant to a response to a comment by the California Department of Fish and Game. The following sentence is added to the end of Mitigation Measure No. A.3(b) on Page 9:

"A Streambed Alteration Permit or waiver to such permit shall be received by the California Department of Fish and Game in accordance with Sections 1601 to 1603 of the California Fish and Game Code for all grading within the setback and floodplain area."

- 4) This amendment is made pursuant to a response to a comment by the Public Works Department. The first sentence of Mitigation Measure No. G.1(a) on Page 36 is amended to state the traffic study ". . . shall be conducted every three years . . ."
- 5) These amendments are made pursuant to new information on the CalTrans' improvement program for construction of a continuous left-turn lane on Highway 49 North between Highway 140 and Mariposa Creek. The last sentences of Options #1 and #2 of Mitigation Measure No. G.1(c) on Pages 36-37 are amended to state "Such improvements shall be funded by State transportation improvement funds and/or . . ." Mitigation Measure No. G.1(d) on Page 37 is amended to state that the

mitigation measure is "OPTION #2 . . ." and the following mitigation measure is added as Option #1:

"OPTION #1--Left turn channelization and associated encroachment improvements on Highway 49 North shall be constructed for the Highway 49 North/Joe Howard Street intersection within five (5) years. Such improvements shall be funded by State transportation improvement funds."

- 6) This amendment is made pursuant to a determination from the Board of Supervisors. Mitigation Measures No. G.2(c) and G.3(c) on Pages 40 and 44 respectively are amended to state "Smith Road shall be improved with a minimum of two 12' travel lanes, two 3' shoulders, curb, gutter, and at least one sidewalk/path when . . ."
- 7) This amendment is made pursuant to a response to a comment by the Mariposa Public Utility District. Replace Mitigation Measure No. H.1(c)(c) on Page 55 is replaced with the following:

"All new residential subdivisions within MPUD shall install fire hydrants in accordance with MPUD standards."

C. Mitigation Monitoring

- 1) The mitigation monitoring information for Mitigation Measure No. A.1(d) on Page 7 is amended to state the mitigation measure applies to ". . . parcels which have an average slope of 20% or greater".
- 2) The first and last sentences of Paragraph #2 of the mitigation monitoring information for Mitigation Measure No. G.1(c) on Page 38 is amended to state ". . . the State and/or County will construct . . ."
- 3) The mitigation monitoring information for Mitigation Measure No. G.1(d) on Page 38 is amended to state this information is "OPTION #2--. . ." and the following monitoring information is added as Option #1 for the mitigation measure:

"OPTION #1--The left-turn lane improvement project along Highway 49 North has been incorporated into the State Transportation Improvement Program and partial funding of the project has been obtained. If full funding is not obtained for the project, the Board of Supervisors shall notify CalTrans that left-turn channelization/encroachment improvements on Joe Howard Street are a high priority for completion under the available funding."

- 4) Mitigation Measure No. I.1(a) was inadvertently omitted from the Specific Plan as a development standard, and the mitigation monitoring information for the mitigation measure is incorrect.

To correct the omission, an amendment to the Specific Plan will be initiated to place the mitigation measure into the Specific Plan as a development standard. Therefore, the mitigation monitoring information on Mitigation Measure No. I.1(a) on Pages 68-69 is replaced with the following:

"An amendment to the Specific Plan and Zoning Ordinance will be initiated upon adoption of the Specific Plan to include the mitigation measure in the Plan. Upon approval of the amendment, the measure will be incorporated into the Specific Plan as a development standard applicable to the identified historic structures and will be implemented by the Zoning Ordinance through the Planning Approval process. A Design Review or Demolition Permit application will be required for the proposed modifications or demolition. The appropriate building permits or demolition permit will not be issued unless the applications are approved and the permits comply with said approval. Non-compliance will be a violation of the Zoning Ordinance."

D. Findings

- 1) The finding for Section G.1 on Pages 38-39 is replaced with the following:

"OPTION #1--The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures except for the impacts on the Smith Road and Joe Howard Street intersections. Option #2 of Mitigation Measure G.1(c) for Smith Road is not feasible mitigation because of the high costs for construction of the improvements. Although the improvements to the Smith Road intersections will be constructed by 1996 under Option #1 of the mitigation measure, substantial traffic volume increases may occur at these intersections prior to 1996 if development is allowed in the Smith Road area. This substantial traffic may have a significant impact on traffic flow on the highways and create significant traffic hazards before the impacts are mitigated by left-turn channelization improvements. Other feasible mitigation is not available. A finding of Overriding Considerations is adopted for the impacts on the intersections of Highway 49 North/Smith Road and Highway 140/Smith Road based on the following:

- a) The high construction costs for the improvements (approximately \$350,000) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible.

b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.

c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.

d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary funding for the improvements including State transportation improvement funds.

Option #2 of Mitigation Measure No. G.1(d) for Joe Howard Street is not feasible mitigation because of the high costs for construction and limited time-frames for completing the improvements. Although the improvements to the Joe Howard Street intersection will be constructed by 1996 under Option #1 of the mitigation measure, substantial traffic volume increases may occur at the intersections prior to 1996 if development is allowed along Joe Howard Street and additional thru-traffic utilizes Joe Howard Street. This substantial traffic may have a significant impact on traffic flow on Highway 49 North and create significant traffic hazards before the impacts are mitigated by left-turn channelization and encroachment improvements. Other feasible mitigation is not available. A finding of Overriding Considerations is adopted for the impacts on the intersection of Highway 49 North/Joe Howard Street based on the following:

a) The high construction costs for the improvements (over \$100,000) and the limited time-frames to fund and construct the improvements render it impractical to construct the improvements prior to 1996, and those economic considerations and time constraints make the mitigation measure infeasible.

b) The benefits of commercial and residential growth in this area and Joe Howard Street being used as an alternate route to the State highways outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.

c) A moratorium on the issuance of building permits in the area is not an alternative since this will result in undesired growth patterns in the TPA and will not reduce traffic levels on Joe Howard Street.

d) The five year time period will allow for sufficient collection of development impact fees and development of

supplementary funding for the improvements including State transportation improvement funds.

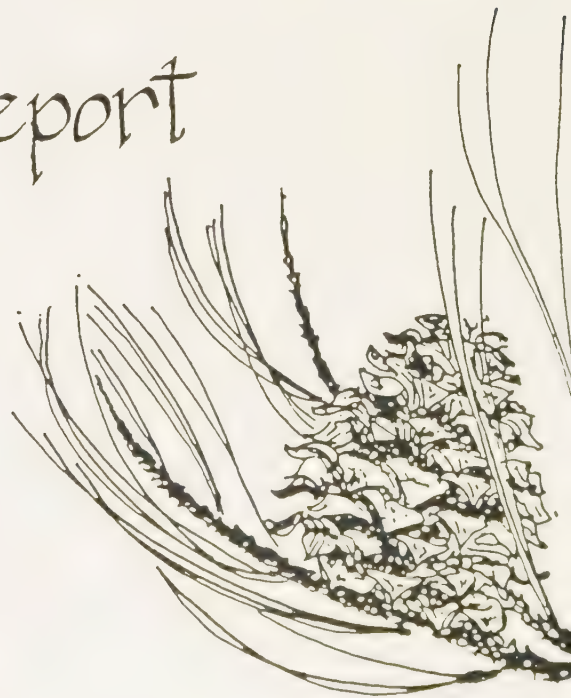
OPTION #2--The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure G.1(c) and Option #2 of Mitigation Measure No. G.1(d). The mitigation measures require traffic flow to be monitored along all key segments and intersections of the State Highways and left-turn channelization and other encroachment improvements to be constructed to maintain the highway levels of service at an acceptable and safe level (i.e. D level)."



Mariposa Town Planning
Area

Specific Plan

Draft Environmental
Impact Report



CREDITS AND ACKNOWLEDGEMENTS

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MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN

DRAFT ENVIRONMENTAL IMPACT REPORT

TABLE OF CONTENTS / INDEX

| | PAGE |
|----------------------------------------------------------|---------|
| 1. Introduction/Project Description/Intended Uses of EIR | 1 |
| 2. Environmental Setting | 5 |
| 3. Summary | Summary |
| A. Description of Environmental Setting | |
| B. Project Description | |
| C. Significant Environmental Impacts and Mitigation | |
| D. Areas of Controversy | |
| E. Issues to be Resolved | |
| 1. Selection of Alternative | |
| 2. Feasibility and Implementation of Mitigation | |
| 4. Environmental Impacts | 6 |
| A. Earth--Geology and Soil | 6 |
| 1. Soil Disruption, Displacement, and Compaction | |
| 2. Soil Erosion | |
| 3. Drainage Channels | |
| 4. Unstable Earth Conditions and Geologic Hazards | |
| 5. Unique Geologic and Physical Features | |
| 6. Topography and Surface Relief Features | |
| B. Water--Hydrology and Drainage | 15 |
| 1. Surface Runoff, Floodwaters, and Drainage | |
| 2. Surface Water Discharges and Water Quality | |
| 3. Mariposa Creek and Stockton Creek Floodplains | |
| 4. Domestic Water Supply | |
| 5. Subsurface Water System | |
| C. Air Quality | 20 |
| 1. Air Emissions | |
| 2. Airborne Particulate Matter | |
| 3. Odors | |
| D. Wildlife Resources (Plants and Animals) | 23 |
| 1. Wildlife and Riparian Habitat | |
| 2. Unique, Rare, and Endangered Plant and Animal Species | |
| E. Land Use | 27 |
| 1. Urban Services | |
| 2. Agricultural Lands | |

| | | |
|-----|-----------------------------------------------------------------|----|
| F. | Land Use Compatibility | 31 |
| 1. | Noise, Light, and Glare | |
| 2. | Aesthetics | |
| G. | Transportation and Circulation | 33 |
| 1. | State Highways | |
| 2. | County Roads | |
| 3. | Pedestrian Access | |
| 4. | Parking | |
| H. | Public Services and Utilities | 49 |
| 1. | Mariposa Public Utility District | |
| a) | Domestic Water Supply within MPUD | |
| b) | Sewage Disposal Within MPUD | |
| c) | Fire Protection Within MPUD | |
| 2. | Septic Disposal Outside MPUD | |
| 3. | Fire Protection Outside MPUD | |
| 4. | Police Protection | |
| 5. | Schools | |
| 6. | Maintenance of Public Roads and Public Parking | |
| 7. | General Government Services | |
| 8. | Utilities | |
| 9. | Parks, Recreation, and Open Space | |
| 10. | Solid Waste Disposal | |
| I. | Cultural Resources | 68 |
| 1. | Historic Structures | |
| 2. | Archaeological Sites | |
| J. | Housing and Population | 73 |
| K. | Hazardous Materials | 76 |
| 5. | Cumulative Impacts | 77 |
| 6. | Alternatives | 78 |
| 7. | Growth Inducing Impacts | 82 |
| 8. | Relationship between Short-Term Uses and Long-Term Productivity | 83 |
| 9. | Significant Irreversible Environmental Changes | 84 |
| 10. | Unavoidable Significant Environmental Impacts | 85 |
| 11. | Appendices | |
| A. | Organizations and Persons Consulted | |
| B. | General Plan / Zoning Amendment Parcels | |
| C. | Notice of Preparation | |
| D. | Initial Study | |
| E. | NOP Responses | |



1. Introduction

Project Description

Intended Uses of ELR



Background

The project consists of an update to the specific plan for the Mariposa Town Planning Area. A specific plan is defined by C.G.C. Section 65450 and must contain maps and texts which specify all of the following:

(1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

(3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

The initial specific plan for the community was adopted in 1981 and this project represents the first comprehensive update of the plan.

The Mariposa Town Planning Area encompasses the historic community of Mariposa. This unincorporated community is the historic and present center of commerce and government within Mariposa County. The town planning area, as defined by the Mariposa County General Plan, comprises approximately 1900 acres and encompasses a narrow valley created by Mariposa Creek. The Town Planning Area is located within the Rancho Las Mariposas Grant boundary in projected Section 9, 10, 11, 14, 15, 16, 22, 23, 24, 25, 26, and 36, Township 5S, Range 18E, M.D.B. & M. State Highways 49 and 140 intersect within the community and become the main street within the historic business district. The current population of the community is approximately 1565.

Proposed Plan

The Specific Plan Update focuses on the following issues:

1. Fine tuning of the land use and zoning map to address projected residential, commercial, industrial and institutional growth over the next 20 years.
2. Development of a detailed circulation plan to address growth and associated increases in traffic. This plan addresses road

improvements, new roads, pedestrian walkways and parking improvements.

3. Development of a detailed public facilities program in response to projected growth addressing water source and distribution, sewage collection, parks and open space, County facilities, etc.
4. Expansion of the community development and design standards for new development within the town planning area to address historical preservation, tourist promotion and overall community enhancement.
5. Expansion of the community development and design standards for new development within the town planning area to address identified environmental constraints.
6. Modification to the town planning area boundaries to follow legally definable lines and associated general plan amendment and rezoning of those areas removed from the TPA. A detailed list of the affected properties is contained in Appendix B.

Plan Implementation, Associated Projects and Use of the Environmental Impact Report

The environmental impact report for the update to the Mariposa Specific Plan has been prepared as a program EIR. A program EIR is used for large projects which require multiple actions to complete. The advantages of a program EIR are:

- (1) Provides for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,
- (2) Ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis,
- (3) Avoids duplicative reconsideration of basic policy considerations,
- (4) Allows the County to consider broad policy alternatives and programwide mitigation measures at an early time when the County has greater flexibility to deal with basic problems or cumulative impacts, and
- (5) Allows reduction in paperwork.

The program EIR will be used to evaluate the immediate environmental effects associated with the adoption of this plan and

to set the stage for evaluation of subsequent projects necessary to carry out the plan. The following section lists all projects necessary to implement the plan and the application of the program EIR.

Actions that are evaluated specifically by this EIR and not requiring further environmental review:

- (1) Adoption of the Mariposa Town Planning Area Specific Plan.
- (2) Adoption of Section 3 of the plan by ordinance establishing enforceable building, zoning and subdivision regulations.
- (3) Associated general plan map amendment to reflect revised TPA boundary.
- (4) Establishment of a traffic impact fee district for Smith Road and establishment of impact fee applicable to all new construction within the district.
- (5) Adjustment of the LAFCo Sphere of Influence for the Mariposa Public Utility District to include all areas of the TPA planned for development.
- (6) Construction of the Saxon Creek Water Source capacity project which was reviewed by a previously certified environmental impact report.
- (7) Residential projects complying with all standards as set forth in this plan as determined by the Planning Director.

Actions that are generally reviewed by this EIR but require environmental review based upon the development of specific project descriptions not currently available.

- (1) County government facilities capital improvement plan and construction.
- (2) County road and pedestrian path upgrade capital improvement plan and construction.
- (3) New County road and pedestrian plan line preparation, capital improvement plan and construction.
- (4) County parks, recreation and open space capital improvement plan and construction.

- (5) Mariposa Parking District capital improvement plan and construction.
- (6) State Highway improvement plans and construction.
- (7) Mariposa Public Utility District annexations.
- (8) Mariposa Public Utility District water and sewer line extension/upgrade capital improvement plan and construction.
- (9) Comprehensive community development impact fee program.
- (10) Redevelopment Plan adoption and implementation.

These projects shall be reviewed based upon the following criteria:

- (1) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.
- (2) If the agency finds that pursuant to section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the project as being within the scope of the program EIR, and no new environmental document would be required.
- (3) If the project would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.
- (4) If found, based upon the initial study, that additional environmental review is required, a negative declaration or subsequent EIR shall be prepared as appropriate.
- (5) All applicable standards and mitigation measures developed in the specific plan program EIR shall be incorporated into subsequent actions in the program.

2. Environmental Setting



ENVIRONMENTAL SETTING

The description of the existing environmental setting of the Mariposa TPA is contained in the Section 2 (Community Profile) of the proposed Mariposa TPA Specific Plan which is hereby referenced and incorporated into this Environmental Impact Report.

A discussion of the consistency of the proposed Specific Plan with the Mariposa County General Plan is contained in Section 2.2B (General Plan Consistency) of the proposed Specific Plan which is hereby referenced and incorporated as part of this Environmental Setting.



3. Summary



SUMMARY

1. Introduction

This section is a summary of the discussion of potential environmental impacts, mitigation measures, and alternatives of the Mariposa TPA Specific Plan and addresses areas of possible controversy and issues which need to be resolved in the Environmental Impact Report (EIR). The summary was prepared in accordance to the requirements of Section 15123 of the California Environmental Quality Act Guidelines. This section is intended only as a summary, and readers should refer to the text of the EIR for further discussion on the items outlined in the summary. The individual sections of the EIR for each item are referenced in the summary and summary table.

2. Project Description

The project is an update to the 1981 Mariposa TPA Specific Plan. The update consists of a modification to the Town Planning Area boundary; revisions to the land use classifications and densities for new development; revisions and additions to development standards including standards incorporating mitigation measures of this EIR; and a public facilities program. A detailed description of the project and the intended uses of the EIR is contained in Section 1 of this report.

3. Environmental Impacts and Mitigation Measures

A summary of the potential environmental impacts, mitigation measures, and determination of significance is contained in the summary table at the end of this section.

4. Alternatives

The EIR reviewed five alternatives to the update of the Specific Plan. These alternatives and a discussion of each follows:

- a) Alternative 1/Preferred Project--This alternative meets the reasonable needs for residential, commercial, and industrial development while addressing impacts on the environment. The alternative balances the need for growth with the need to protect the environment and is the recommended Specific Plan.

- b) Alternative 2/No Additional Development--This alternative would maintain the status quo within the community by not allowing new development. This alternative is not acceptable because it will result in growth and development occurring in other parts of the County and potentially create more significant environmental effects Countywide. Also, this alternative is not consistent with the goals, objectives, and policies of the County General Plan.
- c) Alternative 3/Reduced Development or Slow Growth--This alternative would reduce the intensity and density of development within the Mariposa Public Utility District (MPUD) and/or impose an annual growth limit. This alternative is not acceptable for the same reasons listed for Alternative 2 even though some environmental impacts may be lessened in the TPA.
- d) Alternative 4/Existing Plan--This alternative would retain the existing Specific Plan standards. This alternative is not acceptable in that infrastructure needs are not related to development and environmental impacts for new development would not be adequately addressed.
- e) Alternative 5/Increased Development--This alternative would increase the intensity and density of development allowed in the TPA and/or expand the TPA boundary. This alternative is not acceptable because the increased development would result in environmental impacts which could not be mitigated to an acceptable level and would conflict with the preservation of sensitive areas and the small town character of the community.

The discussion on alternatives is contained in Section 6.

5. Areas of Controversy

This project will result in general controversy as to the location and intensity in which growth should occur in the TPA. This type of controversy is a normal product of the planning process and the EIR and the Specific Plan have been conducted to address all points of view. As for specific areas of potential controversy, the following mitigation measures proposed by the EIR may result in controversy:

- a) The reduction or prohibition of parking along Highway 140 in the downtown area. This mitigation measure, designed to improve traffic flow in the downtown area, will reduce or remove parking in an area with limited parking spaces and

reduce or remove the most accessible parking for downtown businesses.

- b) The imposition of development impact fees to finance improvements at State Highway intersections with County roads and along Smith Road. The fees will increase costs for development which increase traffic in these areas.
- c) A five acre minimum parcel size in the northern part of the TPA until MPUD services are provided. This mitigation measure will reduce the subdivision potential of these parcels until they are annexed into MPUD.
- d) The prohibition of private wells in the MPUD. This will prohibit new development from supplementing their water supply with private wells and require new development to obtain all water from MPUD.
- e) The reservation of 50% of the available water supply (until the Saxon Creek Water project is completed) for residential units. This will limit the available water for commercial and industrial development.

6. Issues to be Resolved

As part of the EIR certification process, the Lead Agency needs to identify the preferred alternative, adopt mitigation measures, and make the required findings. The major issues which need to be resolved relate to the mitigation measures to be adopted for the EIR. The mitigation measures listed as controversial and their associated impacts need to be addressed, and it must be determined how the impacts are to be mitigated and if the proposed mitigation measures will be adopted. Also, two alternative mitigation measures are proposed to address the impacts on Smith Road and the highway intersections; the mitigation measures differ as to the timing of the improvements. The Lead Agency must determine when the improvements to Smith Road are feasible, adopt the corresponding mitigation measure, and make the appropriate finding.

SUMMARY TABLE

| <u>IMPACT CATEGORY</u> | <u>IMPACTS</u> | <u>MITIGATION MEASURES</u> | <u>FINDING</u> |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Earth--Geology and Soils (Section 4.A) | Soil disturbance and erosion | Engineered grading on moderate-steep slopes (Measure A.1.a) Sedimentation control during rainy season (Measure A.1.b) Minimum parcel size based on slope (Measure A.1.c) 30% building coverage standard for moderate-steep slopes (Measure A.1.d) Suppression of fugitive dust and protection of dirt stockpiles (Measure A.2.b) | Significant--Mitigated to non-significant level |
| | Alteration of drainage patterns and courses | Stormwater drainage control for large development (Measure A.3.a) 50' setback for structures and fill placements from Mariposa and Stockton Creeks (Measure A.3.b) No structures or fill placements in 100 year floodplain of Mariposa and Stockton Creeks (Measure A.3.b) 25' setback for structures and fill placements from intermittent streams and other drainages (Measure A.3.c) | Significant--Mitigated to non-significant level |
| | Creation of unstable earth conditions and exposure to geologic hazards | Measures A.1.a to A.1.d 10' limit to cut and fill banks (Measure A.4.b) | Significant--Mitigated to non-significant level |
| | Modification or partial destruction of natural state of hillsides and Mariposa Creek | Measures A.1.a/c/d and A.3.b Grading in conjunction with development (Measure A.5.b) Revegetation of exposed surfaces (Measure A.5.c) Screening of structures on hillsides (Measure A.5.d) | Significant--Mitigated to non-significant level |
| | Alteration of topography and surface features | Measures A.4.c and A.5.c/d | Significant--Mitigated to non-significant level |
| Water--Hydrology and Drainage (Section 4.B) | Increase of surface runoff and stormwater, alteration of drainage patterns and courses, decrease in water quality of Mariposa Creek | Measures A.3.a/b/c | Significant--Mitigated to non-significant level |

| <u>IMPACT CATEGORY</u> | <u>IMPACTS</u> | <u>MITIGATION MEASURES</u> | <u>FINDING</u> |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Water--Hydrology and Drainage (Section 4.B) | Alteration of floodwaters and exposure of people to flood hazards in Mariposa and Stockton Creek flood-plains | Measure A.3.b | Significant--Mitigated to non-significant level |
| | Inadequate water supply for development outside MPUD | Minimum well yield standards (Measure B.3.a) | Significant--Mitigated to non-significant level |
| | Impact on MPUD wells by new private wells | 5-acre minimum parcel size for parcels in northern TPA without MPUD service (Measure B.4.a) New private wells prohibited within MPUD (Measure B.4.b) | Significant--Mitigated to non-significant level |
| Air Quality (Section 4.C) | Decrease in air quality from smoke and particulate matter | New woodstoves must meet EPA standards (Measure C.1.a) New houses limited to one chimney (Measure C.1.b) | Significant--Mitigated to non-significant level |
| | Decrease in air quality and visibility from airborne soil matter | Measure A.2.b | Significant--Mitigated to non-significant level |
| | Generation of obnoxious odors | None | Not significant |
| Wildlife Resources--Plants and Animals (Section 4.D) | Modification and reduction of wildlife and riparian habitat | Measure A.3.b 25' drainage easement for new subdivisions (Measure D.1.b) | Significant--Mitigated to non-significant level |
| | Reduction of habitat and population of Congdon's Lomatium | None | Not significant |
| | Reduction of habitat and population of Mariposa Clarkia | Botanical survey and protection of species on potential habitat areas (Measure D.2.a) | Significant--Mitigated to non-significant level |

| <u>IMPACT CATEGORY</u> | <u>IMPACTS</u> | <u>MITIGATION MEASURES</u> | <u>FINDING</u> |
|---------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Land Use--Urban Services and Agricultural Lands (Section 4.E) | Provision of adequate urban services to TPA outside MPUD | 5-acre minimum parcel size for parcels in northern TPA without MPUD service (Measure E.1.a) Standards and criteria for annexations (Measure E.1.b) Sphere of influence study for Pair-grounds area (Measure E.1.c) | Significant--Mitigated to non-significant level |
| | Land use impacts on agricultural lands | None | Not significant |
| Land Use Compatibility (Section 4.F) | Impacts of noise, light, and glare on adjacent uses | None | Not significant |
| | Impacts on aesthetics and views of TPA | None | Not significant |
| State Highways (Section 4.G.1) | Increase in traffic on H140 south of 4th and north of 7th and on H49 | None | Not significant |
| | Increase in traffic and decrease in LOS on H140 between 4th and 7th | Traffic study, reduction and prohibition of on-street parking, left-turn lane and intersection improvements (Measure G.1.a) | Significant--Mitigated to non-significant level |
| | Increase in traffic and safety hazards at H49S/Ben Hur Rd and H49S/Pair-grounds Rd | Traffic study, correction of safety hazards (Measure G.1.b) | Significant--Mitigated to non-significant level |
| | Increase in traffic and safety hazards at H140/Smith Road and H49N/Smith Road | Left-turn channelization and encroachment improvements (Measure G.1.c) | Significant--Mitigated to non-significant level |
| | | | OR |
| | | | Statement of Overriding Considerations--The short-term impacts at these intersections cannot be mitigated to a non-significant level |
| | Increase in traffic and safety hazards at H49N/Joe Howard Street | Traffic study, encroachment improvements (Measure G.1.d) | Significant--Mitigated to non-significant level |

Amendments #C.3 and #D.1

| <u>IMPACT CATEGORY</u> | <u>IMPACTS</u> | <u>MITIGATION MEASURES</u> | <u>FINDING</u> |
|------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| County Streets and Roads (Section 4.G.2) | Increase in traffic on County streets exceeding capacity | Frontage improvements on County streets required for commercial and industrial development and residential subdivisions (Measures G.2.a/b) | Significant--Mitigated to non-significant level |
| | Increase in traffic and safety hazards on Smith Road | Street improvements including curb, gutter, shoulder, and sidewalk (Measure G.2.c) | Significant--Mitigated to non-significant level OR Statement of Overriding Considerations. The short-term impacts on Smith Road cannot be mitigated to a non-significant level. |
| Pedestrian Circulation (Section 4.G.3) | Increase in traffic and pedestrian activity along County streets with inadequate pedestrian paths | Measures G.2.a/b/c and G.4.b | Significant--Mitigated to non-significant level |
| | Increase in traffic, pedestrian activity, and safety hazards along H140 between 7th and Smith Road | Pedestrian path improvements along H140 between 7th and Smith Rd (Measure G.3.b) | Significant--Mitigated to non-significant level |
| | Increase in traffic, pedestrian activity, and safety hazards along Smith Road | Frontage and sidewalk improvements along Smith Road (Measure G.3.c) | Significant--Mitigated to non-significant level OR Statement of Overriding Considerations. The short-term impacts on Smith Road cannot be mitigated to a non-significant level. |
| Parking (Section 4.G.4) | Increase in demand of public parking in downtown area | Redesign and striping of existing parking lots (Measure G.4.a) Improvements and amenities to parking lots to increase accessibility and usability (Measure G.4.b) | Significant--Mitigated to non-significant level |

| <u>IMPACT CATEGORY</u> | <u>IMPACTS</u> | <u>MITIGATION MEASURES</u> | <u>FINDING</u> |
|------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| MPUD (Section 4.H.1) | Increase in demand of water from inadequate water supply, distribution, and storage system | Adequate water mains for new development (Measure H.1.a.a) New subdivisions to provide infrastructure for water (Measure H.1.a.c) Drought-tolerant landscaping for commercial, industrial, multi-family residential development (Measure H.1.a.d) Low-water flow fixtures for new development (Measure H.1.a.e) | Significant--Mitigated to non-significant level |
| | Increase in sewage effluent to be collected by inadequate sewage collection system | New or failing septic systems prohibited in MPUD (Measures H.1.b.a/b) New subdivisions to provide infrastructure for sewage (Measure H.1.b.c) Adequate sewer mains for new development (Measure H.1.b.c) | Significant--Mitigated to non-significant level |
| | Potential increase in fire hazards and exposure of people to fire hazards | Adequate water mains and fire hydrants for new development (Measures H.1.c.a/b/c/d) | Significant--Mitigated to non-significant level |
| Non-MPUD Public Services and Utilities (Section 4.H) | Septic disposal outside MPUD | None | Not significant |
| | Increase in fire hazards and exposure of people to fire hazards outside MPUD | Fuel clearance around structures (Measure H.3.a) 5-acre minimum parcel size for parcels in northern TPA without MPUD service (Measure H.3.b) Water storage for commercial and industrial development outside MPUD (Measure H.3.c) California State Fire Safe Standards (Measure H.3.d) | Significant--Mitigated to non-significant level |
| | Increase in demand for police protection service | None | Not significant |
| | Increase in student population and impacts on high school and elementary school | None | Not significant |
| | Increase in maintenance demand of public streets and parking | None | Not significant |

| <u>IMPACT CATEGORY</u> | <u>IMPACTS</u> | <u>MITIGATION MEASURES</u> | <u>FINDING</u> |
|---------------------------------------------------------|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Non-MPUD Public Services and Utilities (Section 4.H) | Increase in demand of general governmental services and impacts on County facilities | None | Not significant |
| | Increase in demand for public utilities | None | Not significant |
| | Increase in demand for parks and open space and impacts on existing open space and parks | 50' setback of structures from Mariposa Creek (Measure H.9.a) Parks and recreation study and acquisitions (Measures H.9.c/d) | Significant--Mitigated to non-significant level |
| | Increase of solid waste and impacts on County landfill | Recycling facilities for commercial operations (Measure H.10.a) Waste reduction for commercial and industrial operations (Measure H.10.b) | Significant--Mitigated to non-significant level |
| Cultural Resources (Section 4.I) | Alteration and destruction of historic structures | Design and demolition standards for historic structures outside Historic District (Measure I.1.a) | Significant--Mitigated to non-significant level |
| | Disturbance and destruction of archaeological sites | Reconnaissance report and protection of sites in Mormon Bar area prior to grading or development (Measure I.2.a) Reconnaissance report and protection of sites in northern TPA prior to subdivisions less than 5 acres (Measure I.2.b) Protection of discovered human remains (Measure I.2.c) | Significant--Mitigated to non-significant level |
| Housing and Population (Section 4.J) | Inadequate water supply for residential development | Measures H.1.a.a and B.4.b Funding, staffing, and support for Saxon Creek Project (Measure J.b) 50% of available water supply reserved for residential units (Measure J.c) | Statement of Overriding Considerations--The short-term impacts to housing cannot be mitigated to a non-significant level |
| Hazardous Materials (Section 4.K) | Generation, storage, or use of hazardous materials | None | Not significant |

4. Environmental Impacts



A. EARTH--GEOLOGY AND SOIL

1. Soil Disruption, Displacement, and Compaction

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: Development allowed by the Specific Plan will result in grading, construction, and placement of structures, roads, and supporting facilities. This development will disrupt, displace, compact, and cover soil which is presently undisturbed or not covered with structures and will directly alter water absorption rates and drainage patterns thereby increasing and redirecting surface runoff. The Design Review Overlay standards will minimize the amount of grading necessary for multi-family residential, commercial, and industrial development. Nonetheless, because of the large amounts of undisturbed soils and vacant land in the TPA on moderate to steep slopes, the lack of specific grading and development standards for steep slopes, and the urban nature of the TPA, these impacts on soil may be significant.

MITIGATION MEASURES:

- a) An engineered grading plan, erosion control plan, and stormwater drainage plan prepared and approved in accordance with Chapter 15.28 of County Code shall be required for all grading, including road work, on slopes 15% or greater.
- b) A sedimentation control plan prepared and approved in accordance with Section 15.28.120.C of County Code shall be required for all grading requiring a grading permit and conducted between November 1 and April 1.
- c) Minimum parcel size standards based on the average slope of land shall be applied to subdivision parcels. These standards shall increase the minimum parcel size as the average slope increases. This will limit the size and number of new parcels created on moderate to steep slopes.
- d) On parcels which have an average slope of 15% or greater, structures shall not cover more than 30% of the parcel.

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MITIGATION MONITORING:

- a, b) These measures have been incorporated into the Specific Plan as special grading standards which are supplementary to the Grading Ordinance. These standards are

contained in Sections 3.24 of the Specific Plan. The standards will be implemented by the Zoning Ordinance through the Planning Approval process and will be made a part of the approved grading and building permits. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

- c) A slope density formula standard has been incorporated into the Specific Plan as a subdivision standard and will be applied to all parcels created through the subdivision and gift deed process. The standard is contained in Section 3.3 of the Specific Plan.
- d) The building coverage standard has been incorporated into the Specific Plan as a development/building standard applicable to all development on parcels with an average slope of 15% or greater. The standard is contained in Section 3.24 of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. Development permits will not be issued for any structures which will result in coverage of 30% or more of the parcel.

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#C.1

FINDINGS: These impacts may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The slope density and building coverage standards will minimize the amount of grading and impervious surfaces for development on moderate to steep slopes by increasing parcel sizes and limiting building coverage thereby reducing surface runoff, and the specific grading standards will ensure all grading on moderate to steep slopes is done in a manner which protects drainages from sedimentation and alteration.

2. Soil Erosion

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The displacement, disruption, compaction, and covering of soil by development activities will expose soils to wind and surface water and increase surface runoff, and these factors will increase wind and water erosion of soils. Most of the soils in the TPA are located on moderate to steep slopes (>15%) which have medium to very rapid runoff and moderate to very high erosion hazard. Due to the large amounts of undisturbed soils and vacant land in the TPA on moderate to steep slopes, the lack of specific grading and development standards on moderate to steep slopes, and the urban nature of the TPA, wind and water erosion impacts on

Earth

soils may be significant.

MITIGATION MEASURES:

- a) Mitigation Measures A.1.a through A.1.d
- b) All exposed and/or disturbed soils for grading which requires a grading permit shall be watered down or suppressed in other manners during grading operations to reduce the generation of fugitive dust. During non-grading periods, all stockpiles of debris, soil, sand, or other materials shall be protected from wind erosion.

MITIGATION MONITORING:

- a) Discussed previously.
- b) The measure has been incorporated into the Specific Plan as a special grading standard which is supplementary to the Grading Ordinance. The standard is contained in Section 3. of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process and made a part of the approved grading permit. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: This impact may be significant, but the impact will be substantially lessened to a non-significant level through implementation of the above-described mitigation measures. The slope density and building coverage standards will reduce the amount of grading on moderate to steep slopes by increasing parcel sizes and limiting building coverage, and the specific grading standards will ensure all grading done on moderate to steep slopes is done in a manner which protects soil from water and wind erosion.

3. Drainage Patterns and Courses

ENVIRONMENTAL SETTING: Refer to Section 1.22 of the Specific Plan Community Profile.

DISCUSSION: Grading activities and development near or adjacent to drainage courses may modify and alter the course of drainages and the drainage pattern of the TPA. Modified or altered drainages may reduce the capacity of drainage courses and their ability to handle surface runoff and accelerate further modification and erosion of drainages. This would result in impacts on soil erosion and

floodwaters as discussed in Section 4.1. Based on the importance of natural drainage courses in the controlling of stormwater drainage in the TPA and the impacts of inadequate drainage on soil erosion and property by stormwater damage, the alteration and modification of drainage courses may be significant.

MITIGATION MEASURES:

- a) A stormwater drainage plan shall be required for all multi-family residential, commercial, and industrial development which have building and parking areas exceeding 5,000 square feet. Drainage facilities shall be required for all development to carry stormwaters to the nearest stable channel or natural drainage way with adequate capacity to carry the flow and to ensure that stormwater runoff will not cause flooding, ponding, soil erosion, sediment production, and sediment pollution. The release rate of stormwater for all parts of the development site after development shall not exceed the stormwater runoff rate for the site in its previous undeveloped state for all intensities and durations of rainfall unless it is demonstrated the downstream channels can accommodate the stormwater release rate.
- b) All buildings and fill placements shall be located a minimum of 50 feet from the centerline of Mariposa Creek and Stockton Creek and shall not be located within the 100-year floodplain and hazard area as established by the Flood Insurance Rate Map adopted by the Federal Emergency Management Agency. Mariposa and Stockton Creeks shall be designated as flood hazard areas in accordance with the provisions of the grading Ordinance, and an engineered grading plan, erosion control plan, and storm water drainage plan prepared and approved in accordance with Chapter 15.28 of County Code shall be required for all grading, including road work done within 50 feet from the centerline of Mariposa and Stockton Creeks and/or the 100-year floodplain and hazard area, whichever distance is greater.
- c) All buildings and fill placements shall be located a minimum of 25 feet from the centerline of intermittent streams and designated drainage ways unless it is demonstrated by an engineered study the building and fill placement will not adversely affect the drainage. At a minimum, a minor grading plan and erosion control plan prepared and approved in accordance with Chapter 15.28 of County Code shall be required for all grading, including road work, within 25 feet from the centerline of the drainages. Such grading and associated development shall not further increase soil

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erosion or siltation of surface water nor further erode drainage ways.

MITIGATION MONITORING:

- a) The stormwater drainage plan and standards have been incorporated into the Specific Plan as a development standard. The standard is contained in Section 3. of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. Development permits for multi-family, commercial, and industrial development will not be issued unless it complies with the drainage standards. Non-compliance will be a violation of the Zoning Ordinance.
- b and c) The setback standards have been incorporated into the Specific Plan as a development standard and are contained in Section 3.21 of the Specific Plan. The grading standards have been incorporated into the Specific Plan as special grading standards which are supplementary to the Grading Ordinance and are contained in Section 3. of the Specific Plan. The standards will be implemented by the Zoning Ordinance through the Planning Approval process and made a part of approved grading and building permits. Development permits will not be issued for structures or grading with fill banks encroaching into the setback. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: The impacts on drainages may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The measures will ensure stormwater runoff generated by development is properly directed to drainage ways with adequate capacity, prohibit structures and fill banks along drainage ways which may interfere with the flow of floodwater, and regulate grading adjacent to drainages thereby reducing erosion and drainage alteration.

4. Unstable Earth Conditions and Geologic Hazards

ENVIRONMENTAL SETTING: Refer to Sections 1.2 of the Specific Plan Community Profile.

DISCUSSION: Although the Specific Plan establishes large minimum parcel sizes for future subdivision parcels on steep slopes, the Plan does not prohibit or establish specific grading and construction standards for development on steep slopes (>30%).

There are general standards for grading associated with commercial, industrial, and multi-family development in the Design Review standards. Nonetheless, development of structures and roads on steep slopes may create unstable earth conditions with large and unstable cut and fill banks which may lead to landslides and other geologic hazards. These unstable earth conditions may expose people and property to hazards. The Mariposa County General Plan has designated the Mariposa TPA as an area with a "High Risk of Seismic Hazard" with areas of weak rock subject to failure. The potential unstable earth conditions and geologic hazards are significant due to the extremely steep slopes of the surrounding ridges and the exposure of people and property below the ridge to geologic hazards.

The Specific Plan and subsequent development will not result in any subsurface development (except for grading cuts and private wells) and will not impact the Melones Fault or other geologic substructures. The Melones Fault runs along the steep slopes of the western ridge, and potential impacts of development locating adjacent to the fault will not be greater than the impacts discussed for development on steep slopes.

MITIGATION MEASURES:

- a) Mitigation Measures A.1.a and A.1.d
- b) For all grading done on steep slopes (>30%), the maximum aggregate height for cut banks shall be ten (10) feet and the maximum aggregate depth for fill banks shall be ten (10) feet.

MITIGATION MONITORING:

- a) Discussed previously.
- b) The measure has been incorporated into the Specific Plan as a special grading standard which is supplementary to the Grading Ordinance. The standard is contained in Section 3. of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process and made a part of the approved grading and building permits. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: This impact is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above-described mitigation measures. The unstable earth conditions and geologic hazards will be minimized by

Earth

limiting cut and fill banks and requiring engineered grading on steep slopes.

5. Unique Geologic and Physical Features

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The hillsides surrounding the town and Mariposa Creek are considered unique physical features of the TPA because of their high visibility, lack of disturbance, and influence upon the historical development of Mariposa. Development on the hillsides or along Mariposa Creek may modify and partially destroy these physical features from their relatively natural state which exists now. Because of the importance of the features and the immense impact development may have on them, the potential impact on these unique physical features is significant.

MITIGATION MEASURES:

- a) Mitigation Measures A.1.a, A.1.c, A.1.d, and A.3.b
- b) Grading in the Scenic Resource land use shall not be permitted until a development plan (e.g. building permit) associated with the grading has been approved by the County and the appropriate grading permits have been issued.
- c) All exposed surfaces created by grading in the Scenic Resource land use shall be revegetated in accordance with Section 15.28.110.C of County Code unless it is determined the surface is of such composition it cannot support vegetation.
- d) New structures constructed in the Scenic Resource land use shall be screened from view from the TPA and the State Highways entering the TPA. Screening may be accomplished by, but not be limited to, landscaping, natural topography, and exterior colors compatible with the natural landscape.

MITIGATION MONITORING:

- a) Discussed previously.
- b and c) These measures have been incorporated into the Specific Plan as special grading standards which are supplementary to the Grading Ordinance. The standards are contained in Sections 3.24 of the Specific Plan and will be implemented by

the Zoning Ordinance through the Planning Approval process and made a part of the approved grading permits. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

- d) This measure has been incorporated into the Specific Plan as a development standard for the Scenic Resource land use. A development and landscaping plan will be required to demonstrate if the development will be visible to the TPA or highways and how it will be screened. The landscaping requirement and development standard are contained in Section 3.24 of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. Grading and development permits will not be issued unless the grading and development complies with the standard. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: This impact is significant, but the impact will be mitigated to non-significant level through implementation of the above-described mitigation measures. The slope density and building coverage standards will reduce the number and size of structures on the hillsides, the grading standards will minimize grading cuts and fills and revegetate exposed surfaces, and the screening standards will minimize the visual impact of structures on the hillside and ridge to the TPA and highways.

6. Topography and Surface Relief Features

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The development of structures and roads on steep slopes as discussed in Section A.4 will create cut and fill banks which will alter topography and ground surface relief features. These cut and fill banks may be of substantial height (10 feet and greater) and will be highly visible from other parts of the TPA. In addition, the development of structures along the ridgelines of the surrounding ridge will alter the topography of the ridgeline and detract from the view of the ridges. Because of these factors, alteration of the topography of the TPA may be significant.

MITIGATION MEASURES:

- a) Mitigation Measures A.4.c, A.5.c, and A.5.d.

MITIGATION MONITORING:

- a) Discussed previously.

FINDING: This impact is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above-described mitigation measures. The mitigation measures will limit the number and size of structures and screen and minimize the view of structures and grading which alter the topography of the surrounding hills.

B. WATER--HYDROLOGY AND DRAINAGE

1. Surface Runoff, Floodwaters, Drainage and Water Quality

ENVIRONMENTAL SETTING: Refer to Sections 1.22 of the Specific Plan Community Profile.

DISCUSSION: As discussed in Section A.1, development will alter water absorption rates and drainage patterns and increase and redirect surface runoff by covering soils with impervious surfaces and developing structures in existing drainage ways. Increased surface runoff and altered drainage patterns will increase soil erosion and further erode drainage courses. Eroded soils suspended or carried by surface waters will deposit along drainages and into Mariposa Creek thereby increasing siltation in the creek. In addition, increased surface runoff will increase the flow of stormwater in Mariposa Creek and other intermittent streams thereby resulting in further erosion of those channels. Increased deposition, siltation, and erosion may modify the stream channels. An increase in deposition and siltation in Mariposa Creek will consequently result in increased turbidity of the water and decreased water quality. Because of the large amounts of undisturbed soils and vacant land in the TPA on moderate to steep slopes along Mariposa Creek, intermittent streams, and other drainages, the importance of natural drainages in the controlling of stormwater, and the importance of Mariposa Creek for its riparian habitat and aesthetic value, the impacts of increased surface runoff, deposition, siltation, erosion, and modification of drainage channels and patterns may be significant.

Water quality impacted by sewage effluent is discussed in Section H.

MITIGATION MEASURES:

- a) Mitigation Measures A.3.a through A.3.c

MITIGATION MONITORING:

- a) Discussed previously.

FINDING: These impacts may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures and existing County ordinances and standards. These measures will ensure stormwater runoff generated by development is properly directed to drainage ways with adequate capacity; prohibit

Water

structures and fill banks within the identified flood hazard areas and along drainage ways which may interfere with the flow of floodwater and expose people and property to flood damage; regulate grading adjacent to drainages thereby reducing erosion, deposition, siltation, and drainage alteration; and decrease deposition and siltation of Mariposa Creek thereby maintaining its water quality.

2. Mariposa Creek and Stockton Creek Floodplains

ENVIRONMENTAL SETTING: Refer to Sections 1.22 of the Specific Plan Community Profile.

DISCUSSION: Alterations to the course and flow of floodwaters in minor drainage courses and intermittent streams is addressed in Section 4. In regards to Stockton Creek and Mariposa Creek, 100-year floodplains and flood hazard areas (those areas which have a 1% chance of being inundated with floodwaters from a 100-year intensity flood in any given year) have been established and mapped by the Federal Emergency Management Agency. Any development within these floodplains, especially permanent structures or fill placements, may alter the course and rate of floodwaters both upstream and downstream. In addition, any structures within these floodplains will be exposed to flood damage or destruction by floodwaters. The alteration of floodwaters or placement of structures within the flood hazard area may expose people to potential flood hazards. Based on the potential impact and hazard of floodwaters within a 100-year floodplain, any grading or structural development within the 100-year floodplains of Stockton Creek and Mariposa Creek will significantly alter the course and flow of floodwaters within those floodplains and may expose downstream and upstream properties and people to significant flood hazards.

MITIGATION MEASURES:

- a) Mitigation Measure A.3.b

MITIGATION MONITORING:

- a) Discussed previously.

FINDING: These impacts are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The measure will prohibit all structures and fill banks which may alter the course of floodwaters thereby protecting people and properties, including upstream and downstream, from flood damage. The

engineered grading plan will ensure any grading for permitted development (e.g. open space, parking lot) will not alter floodwaters.

3. Water Supply--Outside MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.5 of the Specific Plan Community Profile.

DISCUSSION: Private wells provide water to development located outside MPUD. The Specific Plan and other County standards and practices do not require verification of water availability for development projects prior to the creation of subdivision parcels or the issuance of building permits. Consequently, the Specific Plan may permit development without verification of adequate water availability for the development or fire protection purposes. Because of the importance of water for domestic uses and fire protection, the Specific Plan may significantly impact development outside MPUD by not ensuring or requiring an adequate water supply for development. Minimum standards to ensure domestic water for residential uses and water storage for commercial and industrial uses are necessary to address the impacts.

The impacts of additional private wells on the MPUD water system is discussed in Section B.4. The impacts of inadequate water storage for fire protection services is discussed in Section H.3.

MITIGATION MEASURES:

- a) New residential units located outside MPUD shall be supplied domestic water from a well or water system with a yield of ten (10) gallons per minute (gpm) or greater for each residence. If the well or water system yields less than ten (10) gpm per residence, appropriate domestic water storage facilities with a minimum capacity of 1,000 gallons per residence and approved by the County Sanitarian shall be required. In no case shall a residence be supplied domestic water from a well or system that has a yield of less than one and one-half (1 1/2) gpm per residence.

MITIGATION MONITORING:

- a) The County is pursuing the development of minimum yield standards for private wells in the county. These standards are as restrictive as the mitigation measure and will apply to private wells in the TPA upon their adoption.

FINDING: The potential impacts of inadequate domestic water on residential development outside MPUD may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will ensure there is adequate domestic water for new residential units located outside MPUD.

4. Subsurface Water System

ENVIRONMENTAL SETTING: Refer to Section 1.22 of the Specific Plan Community Profile.

DISCUSSION: Subsurface water in and around the TPA is stored in numerous fractures and fissures of the underlying bedrock. These fractures and fissures make it difficult to assess the impact of wells on surrounding wells in regards to drawdown of water levels and failures of wells. However, wells drawing water from a fracture or fissure will impact wells which utilize the same fracture or fissure source. Several MPUD wells in the northern part of the TPA and near the reservoir have failed, have reduced yield, or are contaminated. Additional private wells in the central and northern parts of the TPA may effect the public water supplies of MPUD by impacting nearby MPUD wells resulting in failure or reduced yield of the wells. The cumulative impact of these wells may be significant because of the importance of MPUD as a water provider and the limited supply of MPUD water.

MITIGATION MEASURES:

- a) The minimum parcel size standard for subdivision parcels, including gift deed parcels, in the northern part of the TPA outside MPUD shall be five (5) acres unless the parcels are connected to the MPUD water system.
- b) New private wells within MPUD shall be prohibited unless such wells are approved by MPUD and will be connected to the MPUD water system. Existing private wells which have failed or have reduced capacity may be drilled to a greater depth or a new well may be drilled upon closure of the existing well.

MITIGATION MONITORING:

- a) The minimum parcel size standard has been incorporated into the Specific Plan as a subdivision standard and will be

applied to all parcels created through the subdivision and gift deed process. Parcels which do not comply with the standard cannot be approved. The standard is contained in Section 3.3 of the Specific Plan.

- b) The prohibition of private wells in MPUD has been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Specific Plan. The standard will be implemented by the Zoning Ordinance through the Planning Approval process, and permits for wells in the TPA will not be approved unless the well complies with the standard.

FINDING: The cumulative impact of additional wells on the subsurface water supply necessary to support existing development in MPUD may be significant, but the impact will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The minimum parcel size standard will ensure there is adequate recharge of the subsurface water supply by the five (5) acre parcels and there is not a cumulative impact on the subsurface water supply. This is based on the Environmental Impact Report certified for the Mariposa County General Plan relating to cumulative impacts on subsurface water by residential parcels (Section 3.306). The prohibition of private wells in MPUD will ensure that private wells will not individually or cumulatively impact the MPUD water system and all new private wells are developed as part of the community water system.

C. AIR QUALITY

1. Air Emissions

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The Mariposa TPA has not been designated as a non-attainment area for air pollutants, but there have not been any studies or research to quantitatively determine air quality in the TPA. General effects of air pollution such as increased health problems, decreased visibility, and general health irritants (burning eyes, shortness of breath) have not been identified. The only identifiable air emission is smoke generated by wood-burning stoves during the winter months. Smoke from the stoves is trapped in town by air temperature inversion layers and the surrounding ridges. At this time, the smoke emissions form a relatively thin layer and rests at elevations above development.

The Specific Plan will result in increased population and traffic which will increase air emissions through vehicles and wood-burning stoves. In addition, air emissions may be increased through uses such as service stations and commercial propane storage tanks. Based on the fact Mariposa County is an attainment area for hydrocarbon, carbon monoxide, and sulfur dioxide emissions, the lack of evidence demonstrating that TPA air quality is near those non-attainment levels, the relatively small increase in vehicle and other use emissions, and County air pollution control standards in effect, the Mariposa County Air Pollution Control District Officer stated the increase of emissions from vehicles, service stations, commercial propane storage tanks, and other similar uses will not significantly impact air quality in the Mariposa TPA.

However, smoke and other particulate matter has an existing identifiable impact on air quality in the TPA although its impact on air quality is unknown at this time. An increase in smoke and particulate matter in the TPA may result in significant air quality problems. Therefore, any increase of woodstove emissions may significantly impact air quality.

MITIGATION MEASURES:

- a) All new woodstoves, including replacements, placed in the TPA shall be of a type and standard approved by the United States Environmental Protection Agency.

- b) A maximum of one (1) chimney shall be allowed for each new house constructed within the TPA.

MITIGATION MONITORING:

- a and b) The mitigation measure will be incorporated into the Specific Plan as supplementary building standards to the County Building Code. They will be implemented by the Zoning Ordinance through the Planning approval process and be made a standard and condition for all building plans. Non-compliance will be a violation of the Zoning Ordinance and Building Code. These standards are contained in Section 3. of the Specific Plan.

FINDING: The impact on air quality caused by emissions from woodstoves is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will substantially reduce the amount of woodstove emissions generated by new residential development. Air quality will not be significantly impacted by other types of emissions.

2. Airborne Particulate Matter

ENVIRONMENTAL SETTING: Refer to Sections 1.2 of the Specific Plan Community Profile.

DISCUSSION: The disruption and displacement of soils caused by grading and other development activities will expose soils to wind patterns. Once the soil is lifted by the wind, the soil will become airborne particulate matter which may decrease air quality and visibility. The movement of air within the TPA is partially restricted by the surrounding ridges, and airborne soil matter may concentrate within the TPA. Because of restricted air movement in the TPA, the large amount of undisturbed soils and vacant land on moderate to steep slopes, and the existing traffic and residential and commercial development in the TPA, air quality and traffic safety may be significantly impacted by increased airborne particulate matter.

MITIGATION MEASURES:

- a) Mitigation Measure A.2.b

MITIGATION MONITORING:

- a) Discussed previously.

FINDING: This impact is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will substantially reduce the amount of airborne particulate matter generated by grading and development activities.

3. Odors

DISCUSSION: The Specific Plan will not allow uses which generate potentially obnoxious odors except as conditional uses (e.g. storage of flammable or hazardous materials) in the commercial and industrial land uses. The conditional use permit process and mandatory environmental review will ensure that these uses which may generate obnoxious odors will not significantly impact adjacent land uses and human comfort. As such, the Specific Plan will not result in significant odors.

FINDING: This impact is not significant.

D. WILDLIFE RESOURCES (PLANTS AND ANIMALS)

1. Wildlife and Riparian Habitat

ENVIRONMENTAL SETTING: Refer to Section 1.24 of the Specific Plan Community Profile.

DISCUSSION: In the developed portions of the TPA, native vegetation has been reduced by urbanization and a number of non-native plant species have been introduced. This part of the TPA is considered valuable wildlife habitat due to the reduced amount of native vegetation, introduced plant species, and human activity occurring in this area; this has resulted in the alteration of the native landscape and elimination of wildlife except for occasional forages. The landscaping standards of the Design Review district require the retention of native vegetation when possible, and consequently the removal of native vegetation will be minimal. As such, additional development within the urbanized portion of the TPA will not have a significant impact on wildlife resources.

However, there is extensive wildlife habitat in the northern section of the TPA consisting of plant species typical of the Foothill-Woodland habitat and utilized by mule deer and other animals typical of this habitat. The habitat in this area is still moderately dense and disturbance by human activities is limited to a few single family residences. Other important wildlife habitat in the TPA include the riparian habitats found along Mariposa Creek and Stockton Creek. These habitats are still relatively undisturbed and utilized by animals. The Specific Plan will allow development within these habitats, and this development will convert the habitat to urban uses and densities which are not conducive to preservation of the habitat or utilization by animals. Although there is extensive wildlife habitat surrounding the TPA, wildlife habitat in the TPA is limited, and any reduction of this habitat may be significant.

MITIGATION MEASURES:

- a) Mitigation Measure A.3.b
- b) A drainage easement 25 feet from the centerline of intermittent streams and designated drainage ways shall be established for subdivisions located in the northern part of the TPA outside MPUD. The easement shall prohibit structures and grading except for perpendicular access roads.

MITIGATION MONITORING:

- a) Discussed previously.
- b) The measure has been incorporated into the Specific Plan as a subdivision standard and will be applied to all subdivisions and identified drainage ways in the northern part of the TPA. The standard is contained in Section 3.34 of the Specific Plan.

FINDING: The impacts on the riparian habitat along Mariposa Creek and Stockton Creeks and the wildlife habitat in the northern part of the TPA may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures and the large minimum parcel size (1/2 acre) established in the northern part of the TPA. The drainage easements and setbacks from Mariposa and Stockton Creeks will protect the wildlife habitat along these drainages from development, and the 1/2 acre minimum parcel size will reduce the loss of wildlife habitat associated with the development of this area.

2. Unique, Rare, or Endangered Plant and Animal Species

ENVIRONMENTAL SETTING: Refer to Section 1.24 of the Specific Plan Community Profile.

DISCUSSION: The two unique plant species identified in the TPA by the Department of Fish and Game's Natural Diversity Data Base--the Congdons Lomatium and the Mariposa Clarkia--may be impacted by development allowed by the Specific Plan. The Congdons Lomatium was last seen in the TPA in 1903, and the Department of Fish and Game believes this species has possibly been eliminated at this site because of the length of time since the last siting and the degradation of the plant habitat. Based on the Department of Fish and Game's comments, subsequent development of the TPA and degradation of the habitat, and the generalized mapping area of the possible location of the species, it is determined the species may not possibly exist in the TPA and subsequent development allowed by the Specific Plan will not significantly affect this species.

The other unique species, the Mariposa Clarkia, was last seen in 1979 on the slopes above Mariposa Creek Drive and north of Highway 140 in the Mormon Bar area, and a significant number of individuals were identified in this survey. The Department of Fish and Game has mapped a specific range of this species in this area, and the habitat in this area has not been substantially degraded since

1979. However, any future grading and development activities in this area associated with residential and commercial/industrial development allowed by the Specific Plan may remove individual plants of this species and detrimentally affect other individuals by degrading the habitat. The Specific Plan as proposed may result in the reduction of this unique plant species, and consequently this impact is significant.

According to the Department of Fish and Game's Natural Diversity Data Base and Areas of Special Biological Importance Map, there are no unique, rare, or endangered animal species in or around the TPA. There are no other sources or evidence which indicate there may be unique, rare, or endangered animal species in the TPA.

MITIGATION MEASURES:

- a) Development requiring the displacement of soil shall be prohibited in those portions of the TPA identified as being the specific range for the Mariposa Clarkia by the Natural Diversity Data Base until a botanical survey has been conducted in the area and appropriate mitigation has been applied to the development to protect any identified populations.

MITIGATION MONITORING:

- a) The measure has been incorporated into the Specific Plan as a development standard applicable to all properties located within the identified specific range of the Mariposa Clarkia. The standard and map identifying the properties are contained in Section 3. of the Specific Plan. The standard will be implemented by the Zoning Ordinance through the Planning Approval process, and development permits for structures or grading in the identified range of the Mariposa Clarkia will not be issued until the survey has been conducted and mitigation has been established to protect identified populations. The standard states (1) if the survey is conducted by the County, mitigation measures to protect the Mariposa Clarkia will be developed and implemented as amendments to the Specific Plan, and (2) if the survey is conducted upon request from a property owner, mitigation measures to protect the Mariposa Clarkia will be developed and implemented by the property owner to the approval of the County and will be made a part of all development permits.

FINDING: The impact on the Congdons Lomatium is not significant. The impact on the Mariposa Clarkia is significant, but the impact will be substantially lessened to a non-significant level through

implementation of the above described mitigation measures. The required survey will determine if the Mariposa Clarkia exists on the property, and if so, mitigation measures recommended by the survey will be implemented to protect the identified populations.

E. LAND USE

1. Urban Services

ENVIRONMENTAL SETTING: Refer to Sections 1.55 of the Specific Plan Community Profile.

DISCUSSION: The Mariposa Public Utility District (MPUD) is the responsible agency for providing urban-level services for much of the TPA. The impacts the Specific Plan may have on MPUD in providing urban services to existing and future development in the District is discussed in Section H.1.

As for those areas of the TPA outside MPUD, the northern section of the TPA is planned for low-density residential uses which will require sewer and water service from MPUD in order for land in this area to develop to its maximum density. The area is within the MPUD Sphere of Influence and is designated for provision of future services by MPUD, and MPUD services will be provided upon annexation of the properties to MPUD. Annexations to MPUD must be approved by the Local Agency Formation Commission (LAFCo) and the District. The Specific Plan does not have policy standards for phasing urban development in this area nor does it have development standards for reviewing projects which require annexation of the property to MPUD. Without these standards, this area of the TPA may be prematurely developed for urban uses, and MPUD may be substantially impacted by annexations to the District. This may result in impacts on land use patterns in the TPA and the provision of services by MPUD. These impacts may be significant for the following reasons: (1) residential and/or commercial growth in this area may result in sprawl of development beyond the planned service area boundaries of MPUD without ensuring urban services are properly provided to the annexed property; and (2) urban services presently provided to property in the District may be lessened or negatively impacted by extension of services outside the planned service area boundaries of the District. Since urbanized development in this area will require discretionary approval from the County, minimum standards and criteria for annexations and provision of services from MPUD should be established in the Specific Plan to ensure that proper and timely urban services are provided to the area without impacting services necessary to support development of property within the existing District.

The Fairgrounds area is planned for light industrial uses which will eventually require intensive urban services for sewer, water, and fire protection. Although this area is not within the MPUD Sphere of Influence, MPUD is the logical agency to provide these services to this area. Until that time, strict development

standards will be applied to commercial and industrial development in the Fairgrounds area to ensure proper services are provided, and these services and development standards are discussed in detail in the Specific Plan and other sections of the EIR. These development standards will ensure adequate services are provided for development in the Fairgrounds area and services from MPUD will not be required, and as such, development in the Fairgrounds area will not impact the provision of urban services by MPUD. Nonetheless, the County should request the Local Agency Formation Commission to prepare an updated Sphere of Influence Report for MPUD to analyze the feasibility of expanding the Sphere to include the Fairgrounds area and establish policy and standards for annexations if appropriate.

MITIGATION MEASURES:

- a) The minimum parcel size standard for subdivision parcels, including gift deed parcels, in the northern part of the TPA outside MPUD shall be five (5) acres unless the parcels are provided sewer, water, and fire protection services from MPUD.
- b) The County shall adopt minimum standards and criteria for reviewing and approving discretionary land use projects (e.g. subdivisions, specific plan amendments) which require annexation into MPUD. The standards shall establish minimum improvement requirements for water, sewer, and fire protection services from MPUD.
- c) A formal request to update the MPUD Sphere of Influence shall be submitted to the Mariposa Local Agency Formation Commission (LAFCo). LAFCo shall be requested to develop policies and standards for annexation of land into MPUD and analyze placing the Fairgrounds area within the Sphere.

MITIGATION MONITORING:

- a) This standard has been incorporated into the Specific Plan as a subdivision standard and will be applied to all parcels in the northern part of the TPA created through the subdivision and gift deed process. The standard is contained in Section 3. of the Specific Plan.
- b) The annexation standards and criteria will be developed by the County in conjunction with the update to the MPUD Sphere of Influence. The standards and criteria will be incorporated into the Specific Plan as policy and development/subdivision standards. A policy statement has

been incorporated into the Specific Plan which states discretionary land use projects shall not be approved by the County until annexation standards and criteria are formally adopted by the Board of Supervisors. This policy statement is contained in Section 2.62 of the Specific Plan.

- c) Within six (6) months after the adoption of the Specific Plan, the Board of Supervisors shall formally request LAFCo to initiate an update to the MPUD Sphere of Influence. The Board of Supervisors shall provide the necessary budget for LAFCo to undertake the Sphere update.

FINDING: The impacts on land use patterns and the provision of services from MPUD resulting from the untimely and inadequate provision of urban-level services to property outside MPUD may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The measures will ensure that development in the northern part of the TPA occurs in a timely manner and adequate urban-level services are provided by MPUD.

2. Agricultural Lands

ENVIRONMENTAL SETTING: Refer to Sections 1.4 of the Specific Plan Community Profile.

DISCUSSION: The project will remove approximately 300 acres along the northeastern and southwestern TPA boundary lines from the Town Planning Area classification and place the acreage in the Agricultural Exclusive (AE) land use classification. The land being removed from the TPA are parts of larger adjacent parcels which are already located in the AE land use, and the project will place these parcels entirely in the AE land use. The land along the southwestern boundary is also under a Land Conservation (Williamson) Act contract as is the entire parcel, and so this action is consistent with the intent and policy of the Land Conservation Act (LCA). The property along the northeastern boundary is on moderate to steep terrain and is outside the service area boundaries of MPUD. Based on these factors, it is appropriate to place the land in the AE land use.

The Specific Plan will not result in the conversion of agricultural land or designating agricultural land for more intensive uses. In addition, the uses allowed by the Specific Plan will not impact the continued use of the agricultural grazing land under LCA contract since this land is topographically separated from the TPA. As such, the Specific Plan will not have a significant impact on

agricultural lands. Due to the terrain of the land to be placed in the AE land use and the nature of the adjacent land uses, the use of this land for agricultural purposes will not impact adjacent land uses or create land use compatibility problems.

FINDING: The impact on agricultural lands is not significant.

F. LAND USE COMPATIBILITY

1. Noise, Light, and Glare

DISCUSSION: The Mariposa County General Plan has identified vehicular traffic along State Highways 140 and 49 as the major noise generators in the TPA. Other significant noise generators in the TPA include light industrial and commercial uses, especially uses with outdoor work areas. Sensitive noise receptors are the medium and high density residential uses (single family residential-9,000 square foot minimum and multi-family residential), schools, hospitals, and parks. The Specific Plan land uses have been designed to separate high-level noise generators from sensitive noise receptors, and design review development standards have been established to require landscaping and screening between noise generators and sensitive noise receptors.

The high-level noise generators and least sensitive receptors (industrial and commercial uses) have been located along the highways with multi-family and single family residential uses setback from the highways. The multi-family residential uses have been located where possible to act as a transition buffer between commercial and industrial uses and single family residential uses, thereby reducing noise levels even further for small-lot residential areas. The areas of direct contact between commercial and industrial uses and single family residential uses have been minimized to prevent noise compatibility conflicts between these uses.

In those areas where there are existing residential uses and where commercial and industrial areas are adjacent to residential areas, new commercial, industrial, and multi-family residential development will be required through the design review process to provide landscaping and screening along streets and adjacent residential uses. The required landscaping and screening will act as a noise buffer with noise being reduced to an acceptable level. Outdoor commercial and industrial uses are a conditional use, and the conditional use permit and environmental review process will ensure these outdoor uses will not have significant noise impacts on adjacent uses.

Those uses and areas identified has high-level noise generators and sensitive noise receptors are also the high-level light and glare generators and sensitive light receptors. As such, the steps which have been taken to minimize noise impacts between uses will also minimize light and glare impacts.

The configuration of the Specific Plan land uses and the development standards of the Specific Plan will provide appropriate

buffers and transition between generators of noise, light, and glare and sensitive receptors of noise, light, and glare and will protect the rural areas surrounding the TPA. Based on the above discussion, the Specific Plan will not result in significant noise, light, and glare impacts on land uses, especially sensitive receptors of those impacts.

FINDING: The potential noise, light, and glare impacts on land uses are not significant.

2. Aesthetics

ENVIRONMENTAL SETTING: Refer to Sections 1.21 of the Specific Plan Community Profile.

DISCUSSION: This report has already discussed the potential visual and aesthetic impacts which may result from development on the ridgelines and hillsides of the TPA, and appropriate mitigation has been developed to address those impacts. In addition, standards to address the visual and aesthetic impacts of development in the TPA, especially the Historic District, have been developed through the Historic Design and Community Design Overlays. These standards will regulate the appearance and view of development from the State Highways and other public streets by requiring landscaping, retention of native vegetation, minimal grading, historically compatible building designs, and appropriate building materials. These standards will ensure development is compatible with surrounding uses and the historic character of Mariposa. Lastly, the subdivision standards require the retention or replacement of native trees for subdivisions which will ensure the retention of native vegetation which presently exists in the undeveloped parts of the TPA. All of these standards will protect the view corridors and the views of natural and historic features in the TPA except for one. The Mariposa Community Planning Advisory Committee Recommendations study identified the stand of Ponderosa pines along Highway 140 as one enters the TPA from Merced as a significant and unique feature of the TPA which should be protected. The standards discussed previously will not protect these Ponderosa pines from being removed since they are primarily on land designated for single family residential use with little or no subdivision potential. However, the land uses and densities permitted by the Specific Plan for these parcels will not result in a substantial reduction of the Ponderosa Pines since only one residence per parcel is permitted and a majority of these parcels are already developed. The Specific Plan will not have a significant impact on the Ponderosa pines and their aesthetic value.

FINDING: The impact on aesthetics and view of the TPA is not significant.

G. TRAFFIC AND CIRCULATION

1. State Highways

ENVIRONMENTAL SETTING: Refer to Section 1.51 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan does not propose at this time any alteration to traffic and circulation patterns of the TPA. Development and traffic within the TPA will still rely on the State Highways as primary access including internal access within the TPA. The Specific Plan, by permitting additional development on vacant and underutilized lands, will increase traffic flows on the State Highways. The area along Highway 49 North has been designated for commercial and multi-family residential development, and traffic along Highway 49 North can be expected to increase. In addition, traffic along Highway 140 and Highway 49 South can be expected to increase from through traffic to new development in the TPA and to Yosemite National Park since these highways provide access to these areas from the Bootjack area, Oakhurst, and the San Joaquin Valley.

CalTrans has determined the current level of service for Highway 140 between Highway 49 South and North to be at a C level approaching D level. The completion of the left-turn lane improvement project along Highway 140 this summer should improve the level of service to a solid C level which according to the Specific Plan is the desired level of service for highways in the TPA. Based on traffic projections using past traffic increases, CalTrans estimates the left-turn lane will maintain a D level of service for Highway 140 until at least 2005. It is assumed growth in the TPA will correlate closely with traffic growth on the highways lacking any significant incentives for growth that do not presently exist. The D level of service is an acceptable level of service, and as such, general traffic impacts on Highway 140 will not be significant for the next 15 years. The level of service for Highways 49 South and North has not been determined, but these highways have substantially less traffic than Highway 140 with better traffic flow, and it is concluded the general traffic flow on these highways will not be significantly impacted by the Specific Plan.

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Nonetheless, the level of service determined for Highway 140 is for the highway as a whole between Highway 49 North and South and does not identify specific traffic flow problems within the highway segment or differentiate levels of service for smaller segments. The Mariposa Community Planning Advisory Committee Recommendation study shows that portion of Highway 140 between Fourth and Seventh Streets has a significantly lower level of service than the remainder of the highway. This is caused by

interrupted traffic flow by parallel parking along the highway and vehicles turning onto oncoming traffic. It can be reasonably assumed from these factors and observed traffic flow that this portion of Highway 140 is at a D level of service approaching an E level. An E level of service is unacceptable in that it represents unstable traffic flow with congestion and intolerable delay. The left-turn lane improvement project only extends to Seventh Street and will not improve traffic flow in the downtown area. The Specific Plan will result in increased traffic along this segment of Highway 140 as this segment of the highway is the primary access route from the central and northern part of the TPA to the Bootjack area, Oakhurst, and San Joaquin Valley. An increase in traffic volume along this segment of the highway which will decrease the level of service to an unacceptable level (E) will have a significant impact on Highway 140 and the traffic flow of the TPA and may create significant traffic hazards, especially at County street intersections.

The State Highway intersections with County streets and private roads and driveways are the areas with the most substantial traffic flow interruption and traffic hazard problems. CalTrans encroachment standards and permitting authority require safe and adequate encroachments from private roads and driveways onto the State Highways thereby ensuring safe and adequate access at these points. CalTrans may require encroachment improvements, including left-turn channelization, for new development or development generating additional traffic as a condition of development. The purpose of such improvements is to ensure that through traffic is not significantly interrupted by turning movements associated with the new development. Furthermore, the County may regulate the location of encroachments through the subdivision process or the design review process for multi-family, commercial, and industrial development to ensure safe access to an adjoining highway. Based on these factors, development accessing the State Highways directly from driveways or private roads will not have a significant impact on the highways or create significant traffic hazards.

Existing County street encroachments onto the State Highways are not regulated by CalTrans, and additional development accessing these County streets may increase traffic levels at the highway intersections. This type of development is not subject to CalTrans authority although they may significantly impact traffic flow at the highway intersections and create significant traffic hazards. The left-turn lane improvement project from Seventh Street to Highway 49 North will substantially improve the Highway 140 intersections with County streets in this area so that highway flow is not impeded by vehicles making left turns and potential traffic hazards are reduced. With the left-turn lane improvement, these intersections will be able to handle increased traffic from new development without the highway being significantly impacted. The

Highway 140 intersections with County streets between Highway 49 South and Seventh Street have been previously addressed in the discussion on traffic flow in the downtown area.

The County road intersections on Highway 49 South, the Ben Hur Road/Fairgrounds Road/Highway 49 South intersections, are presently adequate to handle current traffic levels, but they have been identified as intersections which may need improvements to accommodate future traffic volumes, especially increased traffic from residential growth in the Ben Hur Road area. The Specific Plan has designated the areas along Fairgrounds Road and Ben Hur Road within the TPA for light industrial uses which may be high traffic generators, and special standards have not been developed to address improvements for the intersections. Most of the traffic from the light industrial uses will access Highway 49 South from the County roads, but it is not known at this time when highway improvements will be necessary to ensure proper traffic flow and prevent traffic hazards at the County road intersections. Any additional traffic at these intersections, including traffic from development allowed by the Specific Plan, may significantly impact Highway 49 South and create significant traffic hazards.

Based on comments from CalTrans and the Mariposa County Public Works Director, it has been determined the Highway 49 North and Highway 140 intersections with Smith Road will not be adequate to handle additional traffic volumes and will be significantly impacted by a substantial increase in traffic (i.e. 10% increase of existing traffic levels). Additional development in the northern part of the TPA, as allowed by the Specific Plan, will increase traffic levels along Smith Road and at the intersections thereby impeding traffic flow along the State Highways and creating traffic hazards. The Specific Plan has not established special standards or improvement programs to address and improve these intersections. Based on the comments of CalTrans and the Public Works Director and the potential traffic from new development, the impacts on these State Highway intersections will be significant.

CalTrans has commented that the Joe Howard Street intersection does not meet CalTrans standards for a public road connection, and it has been determined a substantial increase in traffic on Joe Howard Street will significantly impact Highway 49 North. One of the problems with the intersection is the merging of three County streets within 50 feet of Highway 49 North. CalTrans recommends the intersection be improved with a public road connection and left-turn channelization to accommodate future traffic volumes. Joe Howard Street provides access to commercial land adjacent to it and will be the future access route for development on the west side of Mariposa Creek, but Joe Howard Street also acts as a through access route for traffic from Coakley Circle to Highway 49 North. The land on the west side of Mariposa Creek is in a Planned

Unit Development Overlay district, and development and subdivision of this land into residential parcels will require approval of a PUD by the Board of Supervisors at which time specific impacts and improvements for the Highway 49 North-Joe Howard Street intersection can be determined. However, commercial uses along Joe Howard Street and in the Coakley Circle area are permitted uses, and the Specific Plan has not established special development standards or improvement programs for the intersection. The Specific Plan, by allowing increased traffic on Joe Howard Street, will significantly impact Highway 49 North at the Joe Howard Street intersection and create additional traffic hazards.

MITIGATION MEASURES:

- a) A traffic study analyzing traffic patterns and volumes on Highway 140 between Highway 49 South and Seventh Street shall be conducted every two years to determine the level of service for this segment of the highway. When the level of service reaches an E level, the number of parking spaces along Highway 140 from Seventh Street and Highway 49 South shall be reduced so that backing movements will not be necessary for vehicles to park in these spaces. If the level of service returns to an E level after the implementation of the first measure, all on-street parking along Highway 140 from Fifth Street and Sixth Street shall be prohibited and left-turn lane and associated encroachment improvements shall be constructed for all County street intersections with Highway 140. Amendment
#B.4
- b) A traffic study analyzing traffic patterns, volumes, and safety for the intersections of Highway 49 South/Ben Hur Road and Highway 49 South/Fairgrounds Road shall be conducted every two years to determine the level of service and safety for the intersections. If the study concludes a safety hazard exists at the intersections, the County shall improve the intersection(s) to correct the safety hazard as recommended by the study. Such studies and improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which access the County roads.
- c) OPTION #1--Left turn channelization and associated encroachment improvements on Highway 140 and Highway 49 North shall be constructed for the Highway 49 North/Smith Road and Highway 140/Smith Road intersections within five (5) years. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road. Amendment
#B.5

OR

OPTION #2--Left turn channelization and associated encroachment improvements on Highway 140 and Highway 49 North shall be constructed for the Highway 49 North/Smith Road and Highway 140/Smith Road intersections when traffic volumes increase by 10% above existing traffic volumes. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

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#B.5

- d) The Joe Howard Street encroachment at Highway 49 North shall be improved to CalTrans standards for a public road connection. A traffic study analyzing the traffic patterns, safety and volumes at the Joe Howard Street/Highway 49 North intersection shall be conducted to determine the level of safety service for the intersection and if left-turn channelization is necessary for existing traffic levels. The study and encroachment improvements shall be funded by a development impact fee program.

Amendment
#B.5

MITIGATION MONITORING:

- a) The Board of Supervisors will fund the traffic study through the County budget. The first study will be conducted during the first peak month of traffic flow after completion of the left-turn lane improvement project on Highway 140, and subsequent studies will be conducted during months of peak traffic volumes. When an E level of service is first reached, the Public Works Department will prepare within two months a revised parking plan with necessary improvements to reduce the parking spaces. The County will implement the revised parking plan within six months after an E level is reached provided all CalTrans approvals have been obtained. When an E level is reached after parking has been reduced, the County will prohibit the on-street parking within one month and complete the left-turn channelization and encroachment improvements within one year. The studies and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.
- b) The Board of Supervisors will fund the traffic study through the County budget. The first study will be completed within three months after adoption of this plan, and subsequent studies will be conducted during months of peak traffic volumes. If the study determines a safety hazard exists at the intersection, the necessary improvements to correct the hazard(s) as recommended by the study will be completed by the County within two years. The studies and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4. .

- c) A development impact fee program will be established for the Smith Road intersections prior to issuance of any building permits on parcels which access Smith Road. Once the development impact fee program is established, building permits will be issued subject to payment of the development impact fee.

If Option #1 is chosen, the County will construct and complete the improvements within five years after adoption of this plan. If Option #2 is chosen, the County will conduct traffic volume counts at the intersections to establish a base traffic volume level and conduct traffic counts annually thereafter. When the traffic volumes increase by 10%, the County will construct and complete the improvements within one year.

Amendment
#C.2

The development impact fee program and restriction on development have been incorporated into the Specific Plan as a development standard and is contained in Appendix D of the Plan. The improvements to the intersections will be incorporated into the Public Improvement Programs of the Specific Plan with the appropriate timing and funding mechanisms. The improvement programs will be contained in Section 4.2 of the Specific Plan.

- d) The County will fund in the County budget the improvements necessary to improve the Joe Howard Street intersection to a public road connection. The County shall also fund the traffic study in the budget, and the first study shall be completed within three months after adoption of this plan. If left-turn channelization is necessary, the County shall implement the development impact fee and complete those improvements within two years. The study and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.2.

Amendment
#C.3

FINDING:

OPTION #1--The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures except for the impacts on the Smith Road intersections. Option #2 of Mitigation Measure G.1.c is not feasible mitigation because of the high costs for construction of the improvements. Although the improvements will be constructed by 1996 under Option #1 of the mitigation measure, substantial traffic volume increases may occur at these intersections prior to 1996 if development is allowed in the Smith Road area. This substantial traffic may have a significant impact on traffic flow on the

Amendment
#D.1

highways and create significant traffic hazards before the impacts are mitigated by left-turn channelization improvements. Other feasible mitigation is not available. A finding of Overriding Considerations is adopted for the impacts on the intersections of Highway 49 North/Smith Road and Highway 140/Smith Road based on the following:

- a) The high construction costs for the improvements (approximately \$350,000) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible.
- b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.
- c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.
- d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary findings for the improvements.

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#D.1

Amendm
#D.1

OPTION #2--The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure G.l.c. The mitigation measures require traffic flow to be monitored along all key segments and intersections of the State Highways and left-turn channelization and other encroachment improvements to be constructed to maintain the highway levels of service at an acceptable and safe level (i.e. D level).

2. County Streets and Roads

ENVIRONMENTAL SETTING: Refer to Section 1.51 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan does not propose at this time any alterations to traffic and circulation patterns on County streets and roads in the TPA. Most County streets and roads in the TPA do not meet County Improvement Standards for traffic levels because of inadequate frontage improvements, but the existing travel lane improvements are accommodating current traffic volumes. However, the Specific Plan, by permitting additional development on vacant and underutilized lands, may increase traffic volumes on

County streets and roads beyond their capacity.

Additional residential development on existing parcels and through minor land divisions will not substantially increase traffic on the County streets and roads, primarily because of their low traffic volume generation and density. However, major subdivision development and commercial and industrial development may generate substantial amounts of traffic thereby increasing traffic volumes on adjacent and nearby County streets and roads. Any substantial increase in traffic on these County streets and roads may exceed the capacity of the streets therefore resulting in significant impacts on traffic flow and safety. Residential and commercial development adjacent to County street and roads, as allowed by the Specific Plan, may significantly impact County streets and roads.

Based on comments from the Public Works Director and previous analysis, it has been determined that Smith Road is not adequate to handle additional traffic and will be significantly impacted by a substantial increase in traffic (i.e. 10% increase of existing traffic levels), even from development of existing residential parcels. Additional development in the northern part of the TPA, as allowed by the Specific Plan, will increase traffic volumes along Smith Road which may impede traffic flow and create additional traffic hazards along Smith Road. Consequently, the Specific Plan may significantly impact Smith Road by substantially increasing traffic.

MITIGATION MEASURES:

- a) County street frontage improvements, including paths or sidewalks, shall be constructed for all commercial and industrial developments which generate 100 or more average daily traffic trips and residential subdivision with a density equal to or greater than one unit per acre.
- b) Frontage improvements along Joe Howard Street shall be constructed prior to the final approval of any development permit for the remainder created by Parcel Map 23/8.
- c) OPTION #1--Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter and at least one sidewalk within five (5) years. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

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#B.6

OR

OPTION #2--Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter and at least one sidewalk when traffic levels increase by 10% from existing

Amendme
#B.6

traffic levels. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

MITIGATION MONITORING:

- a) The frontage improvements requirement has been incorporated into the Specific Plan as an improvement standard which takes precedence over the County Road Improvement and Circulation Policy. The standard is contained in Section 3.25.B of the Specific Plan and will be implemented by the Subdivision Ordinance or the Zoning Ordinance through the Planning Approval process. The Public Works Director will determine the appropriate frontage improvements for the County street, and the frontage improvements will be made a part of the building permit or a condition of approval for the major subdivision. The frontage improvements will be required to be constructed or deferred with an improvement agreement prior to issuance of a certificate of occupancy or recordation of the final map.
- b) This requirement is a condition of the Certificate of Compliance issued to the remainder. The condition will be implemented through the Planning Approval process and be made a part of the building permit. The frontage improvements will be required to be constructed or deferred with an improvement agreement prior to issuance of a certificate of occupancy.
- c) A development impact fee program will be established for improvements to Smith Road prior to issuance of any building permits on parcels which access Smith Road. Once the development impact fee program is established, building permits will be issued subject to payment of the development impact fee.

If Option #1 is chosen, the County will construct and complete the improvements within five years after adoption of this plan. If Option #2 is chosen, the County will conduct traffic volume counts on Smith Road to establish a base traffic volume level. When the traffic levels increase by 10%, the County will construct and complete the improvements within one year.

The development impact fee program and restriction on development have been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Plan. The improvements to the intersections will be incorporated into the Public Improvement Programs of the

Specific Plan with the appropriate timing and funding mechanisms. The improvement programs will be contained in Section 4.2 of the Specific Plan.

FINDING:

OPTION #1--Option #2 of Mitigation Measure G.1.c is not feasible mitigation because of the high costs for construction of the improvements. Although the improvements will be constructed by 1996 under Option #1 of the mitigation measure, traffic volumes may substantially increase along Smith Road prior to 1996 if development is allowed in the Smith Road area. This substantial traffic may have a significant impact on traffic flow on Smith Road and create significant traffic hazards before the impacts are mitigated by the improvements. Other feasible mitigation is not available; a moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types. A finding of Overriding Considerations is adopted for the potential impacts on Smith Road based on the following:

- a) The high construction costs for the improvements (approximately \$600,000) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible.
- b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.
- c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.
- d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary funding for the improvements.

OPTION #2--The potential impacts on County streets and roads are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure G.2.c. The mitigation measures require frontage improvements for major commercial developments and major subdivisions which will ensure traffic and parking generated by these projects will not significantly impact traffic flow on the County streets or create

significant traffic hazards. In addition, the measures require full improvement of Smith Road when traffic levels warrant it and this will ensure that Smith Road will be able to adequately handle traffic volumes resulting from development allowed by the Specific Plan.

3. Pedestrian Circulation

ENVIRONMENTAL SETTING: Refer to Section 1.53 of the Specific Plan Community Profile.

DISCUSSION: The existing pedestrian improvements in the downtown area and Coakley Circle area will continue to provide safe and adequate pedestrian access in these areas upon further development. Downtown pedestrian access will also be improved with the construction of improved pedestrian pathways from the public parking lots to downtown businesses as discussed in the section on Public Parking while Coakley Circle pedestrian activity will be enhanced by the public parking/roadside rest area planned for that area. Based on these factors, pedestrian access and safety in the downtown area and Coakley Circle will not be significantly impacted by increased pedestrian activity or traffic volumes.

However, pedestrian access is presently seriously impeded along Highway 140 between Highway 49 North and Seventh Street, along Smith Road and Highway 140 to Highway 49 North, and along Eighth Street between Jones Street and Highway 140. Highway 140 is an important and active pedestrian route because it provides access to the central portion of the TPA, interconnecting County streets, and adjacent commercial services and businesses. There are multiple unstructured encroachments along Highway 140 with no sidewalk improvements which create pedestrian hazards. Pedestrian activity and traffic volumes along Highway 140 can be expected to increase with further development in the TPA as allowed by the Specific Plan. The Highway 140 left-turn lane improvement project will not substantially improve pedestrian access because no sidewalk improvements will be constructed, travel lane width will be increase thereby decreasing shoulder width for pedestrian use, and existing encroachments will not be improved. Based on the existing inadequate pedestrian improvements and pedestrian hazards, pedestrian access and safety along Highway 140 may be significantly impacted by increased pedestrian activity and traffic volumes.

Smith Road and Highway 140 provide access from the Smith Road residential area to the commercial services and businesses at the Highway 140/Highway 49 North intersection and to the central portion of the TPA. There are no path or sidewalk improvements along Smith Road and pedestrians are forced to walk in the travel lanes, and areas for walking along Highway 140 are limited and

pedestrians are forced to walk adjacent to the travel lanes for portions of the highway. Since the Smith Road area is designated for significant residential growth and pedestrian activity and traffic volumes along Smith Road and Highway 140 can be expected to increase, pedestrian access and safety may be significantly impacted.

Eighth Street is used extensively by high school students during lunch hour for access to Highway 140 and the businesses and services along the highway. There are no paths or sidewalks on Eighth Street between Jones Street and Bullion Street and only a narrow path from Bullion to Highway 140. Although pedestrian activity along Eighth Street may not substantially increase, traffic volumes can be expected to increase from the relatively high existing volumes upon further development of the Courthouse area as a government and professional office center. An increase in traffic on Eighth Street may significantly impede pedestrian access along Eighth Street and create additional pedestrian hazards.

Pedestrian access along streets and roads for new commercial development and subdivisions will be facilitated by frontage improvements as discussed in the section on County streets, road improvements required for private subdivision roads through the subdivision process, and design review standards which require safe and adequate access from the street to the development. These standards will ensure that new development which will generate both pedestrian activity and traffic will provide pedestrian improvements for proper and safe pedestrian access.

MITIGATION MEASURES:

- a) Mitigation Measures G.2.a, G.2.b, G.2.c, and G.4.b
- b) A path or sidewalk shall be constructed along Highway 140 from Smith Road to Seventh Street. That portion of the path or sidewalk from Seventh Street to Highway 49 North shall be completed within two years from the completion date of the left-turn lane improvement project. That portion of the path or sidewalk from Highway 49 North to Smith Road shall be completed at the time the Smith Road pedestrian frontage improvements are completed.
- c) OPTION #1--Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter, and at least one sidewalk within five (5) years. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

Amendment
#B.6

OR

OPTION #2--Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter, and at least one sidewalk when traffic levels increase by 10% from existing traffic levels. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

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MITIGATION MONITORING:

- a) Discussed previously.
- b) The County will fund through the County budget the path or sidewalk improvements so they are constructed within the time periods set by the mitigation measure. The improvements, including timing and funding mechanisms, have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.
- c) A development impact fee program will be established for improvements to Smith Road prior to issuance of any building permits on parcels which access Smith Road. Once the development impact fee program is established, building permits will be issued subject to payment of the development impact fee.

If Option #1 is chosen, the County will construct and complete the improvements within five years after adoption of this plan. If Option #2 is chosen, the County will conduct traffic volume counts on Smith Road to establish a base traffic volume level. When the traffic levels increase by 10%, the County will construct and complete the improvements within one year.

The development impact fee program and restriction on development have been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Plan. The pedestrian improvements will be incorporated into the Public Improvement Programs of the Specific Plan with the appropriate timing and funding mechanisms. The improvement programs will be contained in Section 4. of the Specific Plan.

FINDING:

OPTION #1--Option #2 of Mitigation Measure G.3.c and Mitigation Measure G.3.b are not feasible mitigation because of the high costs for construction of the improvements. Although the

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improvements will be constructed by 1996 under Option #1 of the mitigation measure, pedestrian activity and traffic volumes may substantially increase along Smith Road and Highway 140 prior to 1996 if development is allowed along Highway 140 and in the Smith Road area. This substantial traffic may have a significant impact on pedestrian access along Smith Road and Highway 140 and create significant pedestrian hazards before the impacts are mitigated by the improvements. Other feasible mitigation is not available.

A finding of Overriding Considerations is adopted for the potential impacts on pedestrian access based on the following:

- a) The high construction costs for the improvements (approximately \$600,000 for Smith Road full improvements) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible.
- b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on pedestrian access along Smith Road and Highway 140.
- c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.
- d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary funding for the improvements.

OPTION #2--The potential impacts on pedestrian access and safety are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure G.3.c. The mitigation measures require frontage pedestrian improvements for major commercial developments and major subdivisions which will ensure development and traffic for these projects will not significantly impact traffic flow on the County streets or create significant traffic hazards. In addition, the measures require pedestrian improvements along Highway 140 and Eighth Street and sidewalk improvements for Smith Road when traffic levels warrant it and this will ensure that these roads will be able to adequately and safely accommodate pedestrian activity along

the roads.

4. Parking

ENVIRONMENTAL SETTING: Refer to Sections 1.52 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan has established off-street parking requirements for all new development outside the Parking District. These requirements will ensure that adequate on-site parking will be provided for new development and development converting to a higher intensity use. There is an existing parking problem in the Coakley Circle area near the Post Offices, but the County is proposing to construct a public parking/roadside rest area adjacent to the History Center which will provide spaces for tourism and short-term parking needs and alleviate the existing problem.

As for parking in the downtown area, the Mariposa Community Planning Advisory Committee Recommendations study calculated the parking demand for uses in the downtown area and the number of on-street, on-site, and public parking spaces, and the study determined there is adequate parking for the downtown businesses and uses. Although the study was conducted in 1986, the findings and conclusions of the study are still applicable since the circumstances and characteristics of the parking spaces and downtown uses have not substantially changed since 1986. The study further stated there were no excess parking spaces available for new development or development converted to a higher intensity. The Specific Plan does not require any parking for development in the Parking District and has not established special standards to address parking demands for new or higher intensity development in the Parking District. This may allow additional development in the downtown area without adequate parking, and as such, the Specific Plan may have a significant impact on parking necessary to support existing development.

Mitigation Measure G.1.a requires the reduction or removal of on-street parking along Highway 140 between Fourth and Seventh Streets to address traffic flow. This mitigation measure may be implemented within two years, and the loss of this on-street parking will have a significant impact on parking in the downtown area by reducing the total number of parking spaces and eliminating the most convenient spaces for downtown businesses.

MITIGATION MEASURE:

- a) The public parking lots shall be redesigned and striped to provide the maximum number of parking spaces.

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- b) Improvements and amenities to promote safe, visible, and convenient access for the public parking lots from businesses and streets and increase usability of the lots shall be constructed. Such improvements and amenities shall include, but not be limited to, pathways, directional signs, and landscaping.

MITIGATION MONITORING:

- a and b) The County will prepare a public parking improvement plan and implement the plan prior to or concurrently with the reduction or prohibition of parking along Highway 140. The plan and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.3.

FINDING: The potential impacts on public parking in the downtown area are significant, but the impacts will be substantially lessened through implementation of the above described mitigation measures. The redesigned and striped parking lots will increase the number of parking spaces which currently exist in the downtown area. This will result in a net increase (added spaces minus removed spaces along Highway 140) of at least 80 spaces which will meet the parking demands of new and converted development. The improvement and amenities will make the parking lots more convenient and comfortable and thereby increase their usage.

H. PUBLIC SERVICES AND UTILITIES

1. Mariposa Public Utilities District

a. Domestic Water Supply within MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.55 of the Specific Plan Community Profile.

DISCUSSION:

Water Supply: Implementation of the Specific Plan will allow development and growth to occur which will exceed the existing water supply of the Mariposa Public Utilities District. The present water supply is not adequate to serve additional development as a result of the continuing reduction of water yields from the MPUD wells and the lack of sufficient surface water runoff to fill the Stockton Creek Reservoir. The present water conservation measures and moratorium on water connections further demonstrates the need for additional water sources.

Water Storage: The existing water storage facilities are deficient in water storage capacity to provide adequate equalizing pressure to current development connected to the MPUD water system.

Pressure Zone 3 has an existing 70,000 gallon storage tank which has been determined by MPUD to be deficient in storage capabilities by 120,000 gallons for both fire protection storage (primary function) and domestic water storage (secondary function). The storage facilities in each pressure zone are connected and provide equalizing pressure for the entire MPUD water delivery system. Additional development in Pressure Zone 3 will significantly impact water storage requirements based upon the existing shortfall.

Water System Deficiencies: Future development in the Smith Road area will severely impact existing water supply lines. The existing water lines serving the Smith Road area are in poor condition, inadequate in size, and do not provide adequate water pressure to existing development in the area. The existing shortcomings of the MPUD water system in the Smith Road area will severely limit the ability of MPUD to provide water to additional development in that area. Many of these lines are also too small in diameter to provide adequate water flows to existing development within the TPA. In addition, the level of deterioration of the existing water lines allows for a substantial loss of water from leaking and broken water mains. The current water system contains a number of water lines that are too small to handle the projected growth within the TPA. The undersized water lines create water delivery problems and decrease the water pressure available to service existing development. Any additional development will further reduce the available water supply to service existing developments.

Additional development will significantly impact the existing water system due to the inadequately sized lines and the level of deterioration of the existing lines.

Based upon the deficiencies of the MPUD water system, the lower water yields from existing MPUD wells, and deteriorating and substandard sized water mains, the Specific Plan will have a significant impact upon the ability of the Mariposa Public Utilities District to provide adequate domestic water service to existing development and to the projected growth and development which may occur under the standards of the Specific Plan.

MITIGATION MEASURES:

- a) The County will not allow high intensity residential or commercial development within the TPA in those areas where water mains do not exist until MPUD provides adequate water mains and domestic water connections to support the additional residential and commercial development.
- b) All residential development within the TPA will comply with the water supply standards provided within Section 3.0 (Improvement and Subdivision Standards) of the Specific Plan.
- c) All subdivisions within MPUD will connect to the MPUD water system and will provide the necessary infrastructure as specified by MPUD to ensure adequate water flow and pressure to proposed as well existing development.
- d) All landscaping proposed for commercial, office, multi-family, and industrial development must utilize drought tolerant plant species.
- e) All new residential, multi-family, commercial, office, and industrial development will utilize low-flow fixtures (i.e. faucets, shower-heads, toilets, etc...). Standards implementing this provision are contained in Section 3.25 B of the Specific Plan.
- f) MPUD must pursue funding to upgrade the water distribution system within MPUD. The upgrading of the water system deficiencies in order to support current development is a high priority project. A Redevelopment Plan is currently being pursued which could provide funding for this project. If it is not approved, MPUD may utilize alternative funding sources available to complete the upgrading of the water distribution system within MPUD.

- g) The completion of the Saxon Creek Water Project will provide an adequate year-round water supply to additional residential and commercial development within the Town Planning Area.

MITIGATION MONITORING:

- a, b, and c) These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards. These Standards are contained in Section 3.0 of the Specific Plan. The standards will be implemented through the subdivision process and building permit review and must be completed prior to recordation of the parcel or final map.
- d) Landscaping requirements are addressed in the Design Review Overlay standards included in Section 3.26 of the Specific Plan.
- e) The requirement for water saving devices and fixtures are contained in Section 3.24B of the Specific Plan and will be enforced through the building permit process.
- f) The County, MPUD, and the Redevelopment Agency will monitor the timing of infrastructure improvements within the Town Planning Area. Additional programs and funding are discussed within the Public Improvements Section of the Specific Plan.
- g) Environmental Review for the Saxon Creek Project has been completed and funding sources are being investigated and procured. No final determination has been made on construction start up although projections indicate 1994 as the earliest possible completion date.

FINDING: The impact upon the water supply and the ability of MPUD to provide water to existing and future development is significant, but will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. Adequate water supply to new residential development will be regulated and ensured through the subdivision process, while MPUD will pursue funding to upgrade the existing water system deficiencies. The continued encouragement of conservation measures, use of low-flow fixtures, and use of drought tolerant plant species in landscaping will reduce the demand on the water supply. The changes or alterations to the existing water system are under the responsibility and under the jurisdiction of MPUD. The need for improvements has been recognized by MPUD, and programs have been initiated and funding is being procured to upgrade the existing water system.

b. Sewage Disposal within MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.55 of the Specific Plan Community Profile.

DISCUSSION: Development planned by the Specific Plan will not significantly affect the capabilities of the MPUD Wastewater Treatment Plant to provide adequate sewage disposal to present and future development within the Town Planning Area. The Wastewater Treatment Plant was designed to serve a projected population of approximately 6,000 persons within the TPA. The Specific Plan high population estimate for the year 2011 is 5,212 persons within the TPA which is less than design figure for the Wastewater Plant. This estimate is consistent with the design life of the wastewater treatment plant. MPUD has indicated that the sludge dewatering and septage receiving systems will require modification within the next five years. Residential septage is being received at the treatment plant from County wide sources under a pilot study to study the feasibility of long term acceptance of septage waste. if implemented on a full-time basis this program will require the above modifications. Additional development within the TPA may significantly impact sewage disposal based upon the age, condition, and lack of adequate sewer lines within the TPA boundary to serve future development. The existing sewer system does not serve the entire TPA and many sewer mains are inadequately sized to serve additional development. The existing sewer lines have deteriorated to the point where leakage is occurring creating a potential public health hazard within the TPA.

Based upon the lack of sewer lines to serve additional residential and commercial development within the TPA, the age and condition of the existing lines, and the public health hazard from effluent leaking from sewer lines, development planned by the Specific Plan will have a significant impact upon the ability of MPUD to provide adequate sewer service to additional development within the district.

MITIGATION MEASURES:

- a) The County and the Mariposa Public Utility District will continue to discourage the use of individual on-site septic systems for residential and commercial development within the Town Planning Area.
- b) All residential or commercial development within the MPUD served by an existing individual on-site septic system which is failing or does not meet County Health Department standards shall be required to connect to the MPUD wastewater treatment system.

- c) All new residential and commercial development within MPUD will be required to connect to the MPUD wastewater treatment system and provide adequately sized on-site and off-site sewer lines to the nearest sewer main as specified by MPUD. All proposed subdivisions within the area served by MPUD shall have sewer service available to each parcel prior to recordation of a parcel or final map.
- d) MPUD must pursue funding to upgrade the sewerage system within MPUD. The upgrading of the deficiencies of the sewer lines in order to support current development shall be a high priority project. A Redevelopment Plan is currently being pursued which could provide funding for this project. If it is not approved, MPUD may utilize alternative funding sources available to complete the upgrading of the sewer system within MPUD.

MITIGATION MONITORING:

- a, b, and c: These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards.
- d) The County, MPUD, and the Redevelopment Agency will monitor the timing of infrastructure improvements within the Town Planning Area. Additional programs and funding are discussed within the Public Improvements Section of the Specific Plan.

FINDING: The impact upon the existing sewage disposal system will be significant, but the impact will be substantially lessened to a non-significant level through the implementation of the above described mitigation measures. The upgrading of the existing sewer system by MPUD will ensure adequate sewage disposal, the requirements for new development will provide adequate infrastructure, while the requirements of the Health Department will protect the public health and safety. The changes or alterations to the existing sewer system are under the responsibility and under the jurisdiction of MPUD. The need for improvements has been recognized by MPUD, and programs have been initiated and funding is being procured to upgrade the existing sewer system.

c. Fire Protection within MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.55 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan will permit development which will have a significant impact upon the ability of the Mariposa Public Utilities District to provide adequate fire protection services within the Town Planning Area. The most important component of the fire protection service within the TPA is the fire hydrant system which is connected to the MPUD water system. As stated previously within the Specific Plan this water system has deteriorated and consists of water mains that are inadequate in capacity to provide for the necessary sustained water flow in the event of a fire. At present there are a number of potentially developable parcels within the northern portion of the TPA that are not served by MPUD water lines or fire hydrants. Additionally, in some areas currently served by hydrants the distance to the parcel or structure may reduce the water pressure available to suppress the fire based upon the length of the hose required.

At present there is adequate water storage for fire protection within Pressure Zone 1 (Downtown area) and Pressure Zone 2 (Cambell and Mueller Tracts), but there is a serious water storage deficiency within Pressure Zone 3 (Idlewheels Mobilehome Park & surrounding area). MPUD estimates that an additional 120,000 gallons of water are needed in Pressure Zone 3 for fire protection purposes. Current storage facilities provide 70,000 gallons of water for equalizing storage, fire protection purposes, and emergency water storage. Pressure Zone 3 contains a number of potentially developable parcels that are not presently served by the MPUD water system or have fire hydrants within close proximity. Additional development within Pressure Zone 3 may reduce the existing water storage levels available for fire protection services in Pressure Zone 3 to an unacceptable level. All of the pressure zones are connected and utilize the water storage tanks for pressure equalization. Additional development within Pressure Zone 3 may decrease the available water pressure and equalization for the other zones. The area which has the most deficient water system relative to needed fire flows is the Mueller Tract area within Pressure Zone 2. Only 25% of the residences are served by fire hydrants connected to a 6" water main, while the remaining parcels are served by a 2" water line which has no fire flow capabilities.

Another important feature of the MPUD fire protection service is the two fire engines owned by MPUD. One of these engines was acquired in 1967 and is in need of replacement due to it's age and inadequate pumping capacity. At present MPUD has one garage at the location of their administrative office which houses one of the engines. The other engine is housed at a garage located at the CDF Headquarters. The MPUD General Manager has indicated the need for a facility which can adequately house at least two fire engines, and the addition of a third fire engine with a greater pumping capacity.

Based upon the importance of the MPUD fire hydrant system for fire protection within the TPA, the inadequacies of the present fire engines, the existing water storage deficiency, and the level of deterioration and lack of water lines available to serve presently vacant parcels, the standards of the Specific Plan will have a significant impact upon the capability of MPUD to provide adequate fire protection services to both existing and future development. The significance of this impact is based upon additional development creating potential fire hazards and the exposure of humans to those fire hazards due to inadequate fire protection.

MITIGATION MEASURES:

- a) The County will not allow residential and commercial development to occur within MPUD in those areas without adequate water mains until MPUD can provide adequate water connections and fire hydrants which provide the required fire flow capacities as determined by MPUD.
- b) All new residential development within MPUD will be required to connect to the MPUD water system and provide adequately sized on-site water lines to the nearest water main as specified by MPUD.
- c) All new residential development will provide fire hydrants which are connected to the MPUD water system by a minimum 6" main and spaced a minimum of ' for parcels greater than a 1/2 acre in size and 330' for parcels less than 1/2 acre in size.
- d) All new commercial development within MPUD will be required to connect to the MPUD water system and provide adequately sized on-site water lines and on-site fire hydrants connected to the nearest MPUD water main as specified by MPUD.
- e) MPUD must pursue funding to upgrade the water distribution system within MPUD, provide a new firehouse and new fire engines. A Redevelopment Plan is currently being pursued which could provide funding for this project. If it is not approved, MPUD may utilize alternative funding sources available to complete the upgrading of the water distribution system within MPUD.

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MITIGATION MONITORING:

- a, b, and c) These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards

supplemental to the existing County Subdivision Ordinance and County Improvement Standards.

- d) MPUD will provide the necessary information regarding the required fire flows and hydrant system necessary for any new commercial development within MPUD. MPUD and the County will be responsible for monitoring any new commercial development to ensure that adequate fire protection is available through the MPUD water system.
- e) MPUD and the Redevelopment Agency will be responsible for monitoring improvements to the MPUD water system.

FINDING: The impact upon fire protection services and the ability of MPUD to provide fire protection services to existing and future development is significant, but the impact will be substantially lessened to a non-significant level through the incorporation of the mitigation measures listed above into the standards of the Specific Plan. The upgrade and extension of the MPUD water system with adequate water mains and fire flows will ensure adequate fire protection service is provided to new and existing development. The changes or alterations to the existing water system are the responsibility and under the jurisdiction of MPUD. The need for improvements has been recognized by MPUD, and programs have been initiated and funding is being procured to correct the existing water system.

2. Septic Disposal outside MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.23 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan encourages annexation of the entire TPA into the MPUD but will permit development within areas outside MPUD that are within the Town Planning Area. These areas will be served by individual on-site septic disposal systems. All proposed on-lot septic disposal systems for residential development must meet current setback requirements, minimum parcel size requirements, and are subject to and required to meet all percolation standards outlined in the Subdivision Ordinance and any other requirements of the Mariposa County Health Department. All existing parcels proposing to utilize an on-site septic disposal system are regulated through the building permit process.

Those areas adjacent to the Fairgrounds which have been designated appropriate for light industrial uses are outside MPUD and septic disposal will be provided by on-site septic disposal systems. The uses permitted in this area are considered to be low generators of septic waste and all such uses are subject to County Codes and

Standards and requirements established by the Mariposa County Health Department.

Based upon existing County Ordinances and Standards, the use of individual on-site septic systems in the areas of the TPA outside MPUD will not be significantly impacted by the standards and uses allowed under the Specific Plan.

FINDING: This impact has been determined not to be significant.

3. Fire Protection outside MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.57A of the Specific Plan Community Profile.

DISCUSSION: The Mariposa Public Utilities District does not provide fire protection outside the District boundary. MPUD has an automatic aid agreement with Mariposa County which provides for the response of MPUD apparatus to virtually all portions of the TPA. MPUD also has a mutual aid agreement with the State that provides for MPUD response Countywide at the discretion of the MPUD Fire Chief. The County and the California Department of Forestry (CDF) are responsible for providing fire protection services to those areas not served by MPUD and the CDF is still responsible for wildland fires within the TPA and MPUD. The California Department of Forestry, Mariposa Public Utilities District and the County have joint assistance agreements which provide for additional fire protection services in the event of an emergency. Those areas outside MPUD are designated state responsibility lands under the fire protection authority of the California Department of Forestry (CDF). All residential, commercial and industrial development within state responsibility areas will be required to meet the fire safe regulations as established in section 4290 of the Public Resources Code. These regulations will become effective on September 1991, or the County may adopt regulations that are equivalent to or more restrictive.

There are several areas within the TPA including the Fairgrounds area and the area north of Hospital Road that are not presently served by the MPUD water system. The area surrounding the Fairgrounds is located near the Mormon Bar Volunteer Fire Station. The proximity of the fire station to the Fairgrounds area provides adequate fire protection services to existing single family residences in this area not served by MPUD. However, light industrial uses are permitted in this area under the standards of the Specific Plan. These uses by their nature create a greater fire risk and may require advanced fire fighting equipment to adequately service this type of development. At this time the County Fire Warden has indicated that the Mormon Bar Fire Station

and the Bootjack Fire Station does have adequate equipment to properly suppress a commercial or industrial type fire. The Mormon Bar Fire Station currently has a single fire engine and one water tanker. The Bootjack Fire Station is also within adequate response distance to the Fairgrounds area and has an additional fire engine and water tanker.

The lack of available water storage in the Fairgrounds area may create potentially significant fire hazards to existing residential uses and may create significant hazards to public health as development occurs.

All commercial and industrial uses which involve the bulk storage of flammable, explosive or hazardous materials will require the approval of a Use Permit. The Use Permit process and mandatory environmental review will determine if the storage of such materials will have a significant impact upon fire protection services.

The northern portion of the TPA which is outside MPUD is not served by the MPUD water system and has no existing water storage available for fire suppression purposes. The Specific Plan will allow development in this area that may have a significant impact upon fire protection services based on the lack of water service, water storage, heavy fuel loading in the area, restricted access and the topography of the area.

The Specific Plan does not include or establish any specific fire safe standards for commercial and industrial development occurring outside the boundaries of MPUD. The lack of comprehensive fire safe standards for those areas outside MPUD's sphere of fire protection services may result in significantly cumulative impacts upon fire protection services in those areas not presently served by MPUD. All commercial and industrial development within State Responsibility Areas provided fire protection service by the CDF are required to meet the fire safe regulations as required by Section 4290 of the Public Resources Code.

Based upon the lack of water storage within the Fairgrounds area and the northern portion of TPA, and the development of light industrial and commercial uses with a higher fire potential, the Specific Plan may have a potentially significant impact upon fire protection service in the Fairgrounds area. Additional development in the northern area outside MPUD may have a potentially significant impact due to the lack of water service to the area, lack of water storage, heavy fuel loading, topography, and restrictive access.

MITIGATION MEASURES:

- a) All parcels zoned for single family residential use in the northern portion of the TPA will be required to comply with fuel clearance standards to reduce the overall fuel load in the area.
- b) All parcels zoned for single family residential use in the northern portion of the TPA that are not connected to the MPUD water system will not be able to subdivide below 5 acres unless water, sewer, and fire protection services are provided by MPUD. If the parcel is currently provided with only one of the MPUD services, subdivision should be conditioned upon the provision of all of the MPUD services (water, sewer, and fire protection).
- c) For new or substantial expansions of areas of commercial and light industrial uses outside MPUD, water storage as required by the California State Fire Safe Standards shall be provided.
- d) The California Board of Forestry Fire Safe Regulations will be in effect by September 1991. Alternatively the County may adopt regulations that are equal to or more restrictive. In either case the applicable fire standards will be in effect in September 1991.
- e) MPUD shall ultimately expand fire protection services to include all developed portions of the TPA.
- f) MPUD and the County shall jointly develop standards for development in areas currently not served but proposed to be annexed into the MPUD.
- g) The extension of MPUD domestic water service into unserved areas will include adequate infrastructure to provide fire flows in accordance with I.S.O. standards.

MITIGATION MONITORING:

- a, b, and c) These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards.
- d) The Board of Forestry Fire Safe Regulations will be monitored by the County and the California Department of Forestry which provides fire protection services to designated State Responsibility Areas.

e, f, and g) MPUD and the County will develop and implement fire service plan which will identify equipment and facility needs to adequately serve planned growth within 2 years. Financing of new equipment and facilities may be provided by assessing impact fees on new development or through other funding mechanisms.

FINDING: The impact upon fire protection services to existing and future development in those areas not served by MPUD may be significant, but the impact will be substantially lessened to a non-significant level through the incorporation of the above described mitigation measures. The Subdivision standards, water storage requirements, adoption of the Fire Safe Regulations, and extension of the MPUD water system should ensure that fire protection service to those areas currently outside MPUD is adequate.

4. Police Protection

DISCUSSION: The location of the Mariposa County Sheriff's Department main office within the Mariposa Town Planning Area ensures adequate police protection and emergency response time to existing development within the TPA. The Mariposa County Sheriff's Office currently has 17 Deputies and 5 Sergeants who are available for patrol. The existing number of Deputies provides adequate police protection for the TPA based upon the ratio of officers to population served. The Mariposa County General Plan establishes a guideline ratio of 1 officer to 750 citizens as being adequate. The current County population is 14,950, which provides a ratio of 1 officer to 623 citizens providing a level of service substantially exceeding the goal established by the General Plan.

The location of the Sheriff's facilities within the Mariposa TPA should substantially reduce the overall costs of providing police protection services to new development within the TPA. The predicted development and resultant population growth within the TPA will generate increased revenue collected from taxes and fees which should offset the costs for providing additional police protection within the TPA. Therefore, the Specific Plan and any subsequent growth will not have a significant impact upon police protection services within the TPA.

FINDING: This impact has been determined not to be significant at the present time. However, the general impact of growth on police protection should be monitored relative to the County's ability to fund necessary expansion of services throughout the County.

5. Schools

ENVIRONMENTAL SETTING: Refer to Section 1.57D of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan will allow growth and development that will increase the overall student population, which may significantly impact the present school facilities. The Mariposa County Unified School District indicated that any substantial residential development within the School District's boundaries may exceed the capacity and may cause overcrowding of both the High School and Elementary School located within the Mariposa Town Planning Area. Any growth occurring within the TPA may also significantly impact the Mariposa Junior High School located outside of the TPA.

Both the High School and Elementary School located within the TPA and have additional space for future expansion. The Junior High School is located outside the TPA on a parcel that has sufficient area for future expansion purposes. Both the High School and Elementary School utilize relocatable modular classrooms to accommodate increases in the student population. At present there are no known plans for any permanent expansion of facilities for either the High School or Elementary School.

Based upon the availability of land for expansion of school facilities within the TPA, the revenue collected from the assessment of school impact fees, the ability to increase this revenue by the collection of school impact fees from commercial and industrial development, and the use of modular relocatable classrooms to accommodate additional students, the Specific Plan will not have a significant impact upon the Mariposa County Unified School District's ability to provide educational services within the TPA.

FINDING: This impact has been determined not to be significant at the present time. However, the general impact of growth on educational facilities should be monitored relative to the Mariposa County Unified School District's ability to fund necessary expansion of services throughout the County.

6. Maintenance of Public Roads and Public Parking

ENVIRONMENTAL SETTING: Refer to Section 1.5 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan will allow residential and commercial development within the Town Planning Area which will result in an increase in traffic, an increased demand for parking, and will significantly impact public roads and their maintenance within the TPA.

Present parking within the downtown area is provided by the Mariposa Parking District and is sufficient for the present needs of existing businesses although much of the available parking is not conveniently located. Any new development within the downtown area may create a shortage of public parking. Additionally if traffic increases to the point that on-street parking is no longer allowed within the downtown area a definite public parking shortage will result. The Mariposa Parking District is responsible for developing, constructing, and maintaining the existing parking facilities within the District. The existing public parking facilities are discussed in the Community Profile Section of the Specific Plan. Minimum on-site parking standards and requirements have been established within the Specific Plan for commercial development within the Town Planning Area which is not within the Parking District. These standards are discussed in Section 3.23 of the Specific Plan.

The availability of parking lots outside the Parking District for annexation into the District, the continued assessment of property for funds to maintain parking, the availability of County land for parking purposes, and the parking requirements and standards of the Specific Plan should ensure that the impact on parking within the TPA from the increased development allowed by the Specific Plan will not be significant.

Increased traffic resulting from development may significantly impact the maintenance of existing public roads within the TPA. The County currently is responsible for the maintenance of the public roads in the TPA. Revenue collected from development should offset the impacts on road maintenance and should maintain public roads at their current level.

FINDING: This impact has been determined not to be significant at the present time. However, the general impact of growth on public parking and the maintenance of public roads at their current level should be monitored relative to the County's ability to fund increased road and parking maintenance costs for future development within the TPA.

7. General Government Services

ENVIRONMENTAL SETTING: Refer to Section 1.32 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan will allow development within the TPA which will result in a corresponding increase in population. This will increase the demand for general government services provided by Mariposa County and potentially significantly impact the ability of the County to provide these services. A number of County offices are located adjacent to the Mariposa County Courthouse, while others are located some distance away. The Specific Plan supports the concept of maintaining the historic Courthouse as the center of County Government services. Section 4.1 of the Public Improvement Programs section within the Specific Plan provides background material and outlines the proposed County Government Center project. This project is in the preliminary planning stage and no site planning or architectural designs have been completed.

The location of a majority of County facilities in one general locale will provide the most efficient operation of County government services. The continued emphasis on the Courthouse as the center of government activities will provide a high degree of accessibility to the general public.

The location of County services in a general area surrounding the Courthouse and the development of the County Government Center to centralize government activities should adequately provide services to both existing and future development within the TPA. As such the Specific Plan will not significantly impact the ability of the County to continue to provide services to the general population.

FINDING: This impact has been determined not to be significant at this time. However, the general impact of population growth on general County services should be monitored relative to the County's ability to fund expansion in other areas of the County.

8. Utilities

DISCUSSION: Implementation of the Specific Plan will not affect the ability of utility companies to provide telephone, electrical, gas, and other utility services to existing residential and commercial development within the Town Planning Area. All new residential, commercial and industrial development within the TPA will be required to meet the Uniform Building Code and will be

required to meet County setback standards, and provide any required easements for utility services as required by the utility provider.

The subdivision standards within the County Subdivision Ordinance, provisions of the Uniform Building Code, the standards of the County Zoning Ordinance, and increased revenue from new development will ensure that the Specific Plan does not significantly affect the ability of utility companies to provide their services to both existing and new development within the TPA.

FINDING: This impact has been determined not to be significant.

9. Parks and Recreation

ENVIRONMENTAL SETTING: Refer to Section 1.57C of the Specific Plan Community Profile and Sections 4.5 and 4.6 of the Specific Plan Improvement Programs Section.

DISCUSSION: The Specific Plan will permit growth and development within the TPA which may have a potentially significant impact upon recreational opportunities and the availability of open space within the TPA. The conversion of vacant land within the TPA to development uses will significantly diminish the available supply of open space. The projected population growth estimates developed for the Specific Plan indicate that the residential growth within the northern portion of the TPA may create the demand for a neighborhood park or playground in that area.

The existing parks and recreation facilities within the Town Planning Area include Mariposa Park, the athletic fields adjacent to Mariposa High School, the picnic area located at the County Fairgrounds and a portion of the proposed Mariposa Creek Park. These facilities are not located within reasonable walking distance of one another. Additionally, the Mariposa Park is located on a steep hillside which discourages both pedestrian and bicycle traffic to the park. Most of the proposed Mariposa Creek Park is still in the planning stages although a pedestrian bridge over Mariposa Creek and the first section of the parkway has been completed near the Best Western Motel at the south end of the TPA.

Based upon estimated population growth, increased residential and commercial development, the distance and inaccessibility of present recreational facilities, and the loss of open space to development, the Specific Plan may have a potentially significant impact upon recreational opportunities and the availability of open space within the TPA.

MITIGATION MEASURES:

- a) The Development Standards of the Specific Plan provide for setbacks from the Mariposa Creek floodplain which provides open space and reduces flood hazards.
- b) The implementation of the Redevelopment Plan may provide funding for the acquisition of land along Mariposa Creek for future segments of the Mariposa Creek Parkway. If it is not approved, the Parks and Recreation Division should pursue alternative funding sources such as development impact fees to complete the Mariposa Creek Park.
- c) The Division of Parks and Recreation shall adopt a Parks and Recreation Master Plan and shall determine the need for additional recreational facilities.
- d) The Division of Parks and Recreation will investigate the feasibility of a program to improve the accessibility of the existing parks and recreational opportunities to the general public and residents alike. This shall include the possible establishment of pedestrian pathways and the acquisition of additional open space.

MITIGATION MONITORING:

- a) This measure has been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards. These Standards are contained in Section 3.21C of the Specific Plan.
- b) The Redevelopment Agency may provide additional funding sources for the acquisition of land for open space or recreational purposes. Funding for additional recreational facilities may be drawn from the County General Fund, State Bond Acts, fees received through development impact fees, and from local donations.
- c) The draft Parks and Recreation Master Plan has been completed and will be finalized in the near future. The Master Plan will provide standards for determining the need for additional recreational facilities.
- d) The draft Parks and Recreation Master Plan has identified the need to improve access to the existing park facilities in the TPA. The policies and standards of the Design Review District encourage and support open space and landscaped pedestrian corridors.

FINDING: The impact upon existing open space and recreational facilities and opportunities available to existing and future population within the Town Planning Area may be significant, but the impact will be substantially lessened to a non-significant level through the incorporation of the above described mitigation measures. The acquisition of land for the Mariposa Creek Parkway, the development of pedestrian pathways to existing parks, and the establishment of additional recreational facilities will ensure adequate open space and recreational opportunities within the TPA.

10. Solid Waste Disposal

DISCUSSION: The Mariposa Landfill is a Class II landfill on a 57 acre parcel located approximately 2.5 miles northwest of the Mariposa Town Planning Area on State Highway 49 North. The landfill currently receives approximately 10,000 tons of solid waste a year, including 5,000 tons a year from Yosemite National Park. The Mariposa County Landfill is projected to be the disposal site for all solid waste produced in Mariposa County through the year 2030. This determination is based upon geologic and engineering studies completed for the Mariposa County Solid Waste Management Plan which have identified a potential 40 to 50 year site life for the Mariposa County landfill. This estimate on the potential site life includes a buffer allowing for an average 3% increase per year of refuse entering the waste stream travelling to the landfill. No other solid waste alternatives to the present landfill are proposed within the Mariposa County Solid Waste Management Plan other than continuing the landfill operations at the present Mariposa County landfill.

The growth and development within the TPA as permitted under the Specific Plan may have a significant impact upon the Mariposa County landfill based upon the high concentration of population and commercial/industrial activities within the Mariposa Town Planning Area adjacent to the landfill. The additional growth and development will increase the amount of solid waste materials entering the landfill. Additionally, an increase in waste at the landfill will require additional fill material to adequately cover the waste beyond what is presently available at the site. If the current landfill site life is not extended and no other disposal facilities are provided, the County will experience a shortage of landfill space available for solid waste disposal.

Based upon the potential increase in the amount of solid waste entering the Mariposa County landfill, the potential lack of fill material to cover waste, the establishment of commercial and

industrial uses which generate increased waste, and the lack of alternative sites and limited site life of the present landfill, the Specific Plan may have a potentially significant impact upon solid waste disposal for new residential and commercial development in the TPA.

MITIGATION MEASURES:

- a. All new major retail operations shall provide recycling facilities for newspaper, glass, aluminum and plastic to reduce the amount of recyclable material entering the landfill.
- b. All new major commercial, industrial, office, and Government facilities located within the Town Planning Area shall develop and implement Waste Reduction Plans to achieve a 25% reduction of all solid wastes by January 1, 1995, and a 50% reduction by January 1, 2000.

MITIGATION MONITORING:

- a) This measure will be implemented on a Countywide basis. Within one (1) year of the adoption of the Specific Plan all significant retail operations in the TPA shall be required to provide recycling facilities.
- b) The Integrated Waste Management Board recommends source reduction, recycling and composting activities to reduce the waste stream entering landfills. The only recycling center servicing the TPA is located at the landfill and is operated by Total Waste Systems.

FINDING: The impact upon the Mariposa County landfill and the ability of the landfill to adequately dispose of the increased solid waste created by both existing and future development within the TPA may be significant, but the impact will be substantially lessened to a non-significant level through the implementation of the above described mitigation measures.

I. CULTURAL RESOURCES

1. Historic Sites and Structures

DISCUSSION: The Historic Design Review Overlay (HDRO) District of the Specific Plan has specific policy and standards regulating the exterior alteration and expansion of historic structures and also has standards prohibiting the demolition of historic structures and sites unless approved by the County. The HDRO standards protect historic structures in the District from alterations or expansion which may have a detrimental effect on the historical significance of the structure and from premature and unnecessary demolition. Furthermore, the HDRO standards require all new development to be designed in an historically compatible manner. As such, the Specific Plan will ensure that development will not have a significant impact on historic structures and sites in the HDRO District.

However, there are a number of historic structures and sites (as identified by the Mariposa County Historic Resources Inventory) located outside the HDRO District, and the Specific Plan does not have standards to regulate alteration and expansion of these structures or protect them from demolition or destruction. The Specific Plan, by not regulating alterations or demolition, may indirectly contribute to non-historical alterations and demolition of these structures. The County has identified these structures as contributors to the history and architecture of Mariposa, and any alterations or demolition of these structures may be significant.

MITIGATION MEASURES:

- a) The Historic Design Review standards, including the standards for reviewing and approving demolitions, shall be applied to exterior modifications and demolitions of all historic structures in the TPA as identified by the Mariposa County Historic Resources Inventory.

MITIGATION MONITORING:

- a) This measure has been incorporated into the Specific Plan as a development standard applicable to the identified historic structures. The standard is contained in Section 3. of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. A Design Review or Demolition Permit application will be required for the proposed modifications or demolition. The appropriate building permits or demolition permit will not be issued

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unless the applications are approved and the permits comply with said approval. Non-compliance will be a violation of the Zoning Ordinance.

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FINDING: The potential impacts on historic structures located within the Historic Design Review Overlay District are not significant because of the proposed historic design review standards. The potential impacts on historic structures located outside the Historic Design Review Overlay District may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will ensure that exterior modifications and alterations to historic structures are compatible with the historic character of the structure and historic structures are not unnecessarily demolished or destroyed.

2. Archaeological Sites

DISCUSSION: Although portions of the TPA have been extensively developed and disturbed by human activity for the past 140 years, there are both known and potential archaeological sites located within the TPA. The known archaeological site is in the Mormon Bar area which has a history of habitation by Native Americans. The Mariposa County Historical Resources Inventory has identified archaeological resources in this area consisting of Native American mortar grinding holes used for the preparation of food, and there may be additional archaeological resources associated with this site. The Mariposa County Historical Sites and Records Preservation Commission has stated there may be a Chinese burial ground located in this area. The Mormon Bar area is planned for light industrial uses which will require extensive grading for roads, driveways, parking areas, septic systems, and building pads, and such grading and development may disturb or destroy any archaeological resources existing in this area. Because of the sensitivity and potential importance of these archaeological sites, the impact of grading and development on sites which may contain archaeological resources may be significant.

The Historical Sites and Records Preservation Commission also stated there may be a Native American burial ground located in the area north of John C. Fremont Hospital. The location of this burial ground is not known. All parcels located in this area are one (1) acre or larger in size, and the area is planned for single family residential use with a 1/2 acre minimum parcel size. Nonetheless, grading and development, especially for small-parcel subdivisions and commercial development, may disturb and destroy burial grounds existing in this area. Since a burial ground may be

located in this area and Native American human remains must be protected from excavation or disturbance, any development in the TPA north of the hospital may significantly impact this Native American archaeological site.

MITIGATION MEASURE:

- a) Prior to any grading or development on the properties identified in the Mormon Bar area with archaeological or historic resources, an archaeological reconnaissance shall be performed on the subject property. The Planning Director shall develop mitigation measures to preserve, protect, or excavate any important archaeological resources based on the recommendations contained in the reconnaissance report and the recommended mitigation set forth in Appendix K of the California Environmental Quality Act Guidelines.
- b) Prior to consideration of any land division application proposing parcels less than five (5) acres in size or Specific Plan amendments on property in the northern part of the TPA outside the MPUD boundaries, an archaeological reconnaissance shall be performed on the subject property. The approving body shall develop mitigation measures to preserve, protect, or excavate any important archaeological resources based on the recommendations contained in the reconnaissance report and the recommended mitigation set forth in Appendix K of the California Environmental Quality Act Guidelines.
- c) If human remains not previously identified are discovered or recognized during grading or development activities in the identified areas listed in Mitigation Measures I.2.a and I.2.b, there shall be no further excavation or disturbance of the site or nearby area reasonably expected to overlie adjacent human remains. The County Coroner shall investigate the cause of death of the remains, and an archaeological reconnaissance shall be performed on the subject property to evaluate the remains. The Planning Director shall develop mitigation measures to protect, preserve, or properly excavate the remains in accordance with the mitigation for human remains set forth in Appendix K of the CEQA Guidelines.

MITIGATION MONITORING:

- a) The measure has been incorporated into the Specific Plan as a development standard applicable to the identified properties. The standard and the map identifying the properties are contained in Section 3. of the Specific

Plan. The standard will be implemented by the Zoning Ordinance through the Planning Approval process, and development permits for grading or structures will not be issued until the archaeological reconnaissance has been performed and appropriate mitigation has been established. If the Planning Director determines there are no important archaeological resources located on the subject property, the Planning Director will authorize the issuance of the appropriate permits. If the Planning Director determines there are important resources located on the subject property, the Planning Director will develop the required mitigation, and the mitigation will be implemented before the Planning Director authorizes the issuance of the development permits. Non-compliance will be a violation of the Zoning Ordinance.

- b) The measure has been incorporated into the Specific Plan as a development standard applicable to land divisions and specific plan amendments on the identified properties. The standard and the map identifying the properties is contained in Section 3. of the Specific Plan. The standards will be made an application requirement for land divisions and amendments, and the applications cannot be considered without the archaeological reconnaissance report. The importance of identified resources and mitigation to preserve, protect, or excavate important resources will be determined by the approving body. The mitigation must be implemented prior to issuance of any grading permits associated with the project, recordation of the final map, or approval of the specific plan amendment.
- c) The measure has been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Specific Plan. The Planning and Building Department will prepare an informational handout outlining the Specific Plan requirements and State law regarding the disturbance of human remains, and this handout will be given to all applicants requesting a development permit in the identified areas. The standard will be made a condition of all grading and building permits. Building inspectors will be informed of the requirements and will examine disturbed areas for evidence of human remains during inspections. Non-compliance with the standard will be a violation of the Grading Ordinance and Zoning Ordinance and applicable State laws.

FINDING: The impacts on archaeological sites may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation

measures. Development projects which have the potential to disturb or destroy archaeological sites will not be permitted unless an archaeological reconnaissance of the property has been performed and appropriate mitigation has been implemented to preserve, protect, or properly excavate important archaeological resources and human remains. Mitigation Measure I.2.c will educate and inform people who may disturb human remains through their development activities and prevent further disturbance of human remains upon their discovery.

J. HOUSING AND POPULATION

ENVIRONMENTAL SETTING: Refer to Sections 1.35 of the Specific Plan Community Profile.

DISCUSSION: Mariposa is the government and commercial center of the County and is served by a community water and sewer system. As such, the Town Planning Area has been designated by the Mariposa County General Plan as a center for commercial, industrial, and high density residential development. Residential development in the TPA is more varied than any other part of the County consisting of large-lot single family residences, small-lot single family residences, multi-family units, mobile home parks, senior citizen housing, and government assisted housing. Based on these factors, the TPA has been planned for high population growth with varied housing types to achieve the goals, policies, and objectives of the General Plan Housing Element.

The Specific Plan has designated approximately 283 acres for medium-density single family residential (SFR 9,000 square foot), 593 acres for low-density single family residential (SFR 1/2 acre), and 82 acres for high density residential (MFR). These areas were chosen based on proximity to commercial services, environmental considerations, land use compatibility, and availability of vacant and underutilized land for future development. It is estimated based on the amount of vacant and underutilized land in these land uses that approximately 860 additional single family residential and 380 additional multi-family residential units may be constructed. In addition, the Professional Office and General Commercial land uses allow multi-family residential units as a conditional use or mixed use, and the land proposed for these uses could reasonably result in 200 multi-family units being constructed. Along with an estimated 20 additional residential units in the Scenic Resource land use, the Specific Plan provides for 1,460 new housing units under the proposed land use classifications and densities. These housing units could support a population growth of 3,000 in the next 20 years, and as such, the Specific Plan provides for adequate housing for the low and middle growth estimates for population as shown in Table 7. The Specific Plan also provides adequate residential acreage and densities to allow for the construction of special housing types and affordable housing.

However, the limited water supply of MPUD is a significant constraint to future residential growth. The existing water supply can only meet the demands of existing development, and even if well yields return to their previous level, there is only enough surplus

water to serve approximately 130 residential-equivalent connections. Consequently, MPUD can accommodate at most approximately 300 additional people without developing additional water supplies, and this equates to six (6) years of growth at the low growth estimate and only three (3) years at the high population estimate. This assumes all available water would be allocated to residential uses with no water connections for commercial development. The Saxon Creek Water Supply Project will secure a surface water supply from the Merced River which will be able to support a population of 6,000 in the TPA and accommodate projected population growth for at least the next 20 years. However, the Saxon Creek Project is not scheduled for completion until 1994. The existing water supply, even with supplementary wells, will not be able to provide adequate water to support projected residential and commercial growth to 1994. Because of the need for additional housing in the County as stated in the Housing Element and the fact the TPA is the only area of the County appropriate and suitable for special housing types, the lack of adequate water supplies will have a significant impact on housing and population in the TPA and the County as a whole.

The impacts of adjacent land uses and traffic on housing is discussed in Section 4.F of this report.

MITIGATION MEASURES:

- a) Mitigation Measures H. 1. a. a. and B.4.b.
- b) The County in conjunction with the Mariposa Public Utility District shall provide appropriate funding, staffing, and support to complete the Saxon Creek Water Supply Project.
- c) A minimum of 50% of the available water supply for new development shall be reserved for residential units.

MITIGATION MONITORING:

- a) Discussed previously.
- b) The completion of the Saxon Creek Water Supply Project has been identified as a primary goal, objective, and policy of the Specific Plan. The County will authorize appropriate funds and staffing levels through the County budget to achieve the completion of the Saxon Creek Project. The Saxon Creek Project and County programs to support the project have also been incorporated into the Public Improvements Program of the Specific Plan as contained in Section 4.6.

- c) The County in conjunction with MPUD will develop and implement within six months after adoption of the Specific Plan enforceable standards to allocate and reserve available water connections to commercial and residential units.

FINDING: The potential impacts on housing and population in the TPA caused by insufficient water supply are significant.

The mitigation measures will protect the MPUD well system from increased usage of subsurface water from private wells, extend existing water supply through water conservation measures, and reserve a substantial proportion of the available water supply for residential growth. However, these mitigation measures will not substantially lessened the short-term impacts on housing and population, and adequate housing and population growth cannot be accommodated by the Specific Plan. There are no other feasible mitigation measures available to the County to address the impacts. The development of additional short-term water sources are the responsibility and within the jurisdiction of the Mariposa Public Utility District, and MPUD will develop short-term water sources if feasible to serve new development. Therefore, a Finding of Overriding Considerations is adopted for the impacts on housing and population resulting from insufficient water supply based on the following:

- a) The Mariposa Public Utility District is the responsible agency with jurisdiction to develop additional short-term water sources to support future residential and commercial growth.
- b) The short-term and unavoidable impacts on housing and population growth will be balanced by the long-term benefits of sustainable housing and population growth upon completion of the Saxon Creek Project. The deficit of housing growth in the first few years of the implementation of the Specific Plan should be eliminated by increased housing growth after completion of the Saxon Creek Project, and as such, the deficit of housing in the first years is acceptable.

K. HAZARDOUS MATERIALS

DISCUSSION: The Specific Plan will not allow uses which generate, store, or use potentially hazardous materials except as conditional uses (e.g. storage of flammable or hazardous materials) in the commercial and industrial land uses. The conditional use permit process and mandatory environmental review will ensure that these uses which may generate, store, or use hazardous materials will not significantly impact adjacent land uses and human safety. The transportation and disposal of such wastes are regulated by Federal and State regulations and standards which provide adequate control of these materials, and such transportation and disposal would also be addressed through the use permit process. As such, the Specific Plan will not result in significant impacts resulting from the generation, storage, use, transportation, and disposal of hazardous materials.

FINDING: This impact is not significant.



5. Cumulative Impacts



CUMULATIVE IMPACTS

Cumulative impacts associated within specific environmental issues are addressed in Section 4 of the EIR. Outside the range of these specific issues the following cumulative impacts are identified:

- (1) The cumulative impact of growth within the eleven town planning areas identified by the Mariposa County General Plan.

The general plan identified eleven town planning areas within the county as existing and for future centers of commercial, residential and industrial growth. Growth within each town planning area is addressed by a Specific Plan/EIR prepared as needed and appropriate. The cumulative impact of growth within the combined town planning areas is addressed by the Mariposa County General Plan Environmental Impact Report. This document should be referenced for information on this overall cumulative effect.

- (2) The Saxon Creek Water Source Project has a maximum theoretical capacity of approximately 5,000 acre feet/year. This theoretical capacity is over three times the estimated demand of the Mariposa Town Planning Area over the time frames addressed by this plan. Although the MPUD Water Treatment Plant is the only existing treatment facility to be served by the project, the potential does exist to serve other areas with the excess water.

In accordance with policies contained in the General Plan, the only appropriate location for concentrations of high intensity development are town planning areas. This policy limits the potential cumulative impacts associated with growth to existing or future designated town planning areas. Water service to areas outside of the Mariposa TPA by the Saxon Creek Project can only occur in conjunction with the preparation of a Specific Plan and EIR. addressing growth within the town planning area.

6. Alternatives



ALTERNATIVES TO PROPOSED PROJECT

This chapter discusses the impacts of alternatives to the proposed specific plan. A series of alternative scenarios is provided that reflect the range of possibilities for the community of Mariposa.

- o Preferred project alternative.
- o No additional development alternative.
- o Reduced development or slow growth alternative.
- o No project (existing plan) alternative.
- o Increased development alternative.

Basis for Consideration of Alternatives

The community of Mariposa is the largest center of employment and population within the County. The community is the center of county government and is the regional service provider for approximately 80% of the county's population. Mariposa has been the dominant community within the county since the 1850's. The community is substantially developed and is one of the few areas in the County containing urban level services and infrastructure. Any specific plan adopted must be consistent with the County General Plan as summarized in Section 2.2. Key goals identified by the community, include providing for residential, commercial, industrial and governmental facilities growth, maintaining the small town character of the community, and providing adequate infrastructure to serve new development. Environmental constraints within the community include steep slopes, Mariposa Creek, limited water, sewer, and roadway capacity.

1. Preferred Project Alternative -

The preferred project alternative was developed to meet reasonable needs for residential, commercial and industrial development while providing environmental protection, particularly relative to the steep hillside areas and Mariposa Creek. This alternative would require construction of the Saxon Creek Water Source project but could be serviced by existing sewage treatment capacity. This alternative identifies sufficient area to provide for aggressive commercial expansion over the next 20 years assuming that Mariposa will continue to be the regional service provider for 80% of the County's population and provide substantial tourist services. Planned residential areas will provide sufficient areas to accommodate aggressive residential growth over the next 20 years. Low and moderate income housing opportunities were

promoted based upon the communities identified population of service sector employees and retirees. Land uses are applied based upon a recognition of environmental and infrastructure limitations. In particular the development scheme relates directly to existing circulation infrastructure and impacts. The proposed plan provides clear definition of residential, commercial, industrial, institutional and open space land uses to stabilize property values and provide an incentive for investment.

The preferred plan relates infrastructure needs specifically to development and establishes programs for new development to finance necessary upgrades to infrastructure and public services which reduces the fiscal impact of development on the county and the general public. The environmental effects of the preferred alternative are mitigated by a specific, implementable mitigation program.

2. No Additional Development Alternative

This alternative would maintain the status quo within the community allowing no new development. Implementation of this alternative assumes that future residential, commercial, industrial and institutional growth would occur outside of the Mariposa TPA either dispersed throughout the county or within another TPA such as Bootjack, Mt. Bullion or Cathey's Valley. This alternative would not require the Saxon creek Water Source project. Implementation of this alternative would reduce the dominance of the community of Mariposa within the county over time. This alternative would conflict with several of the primary goals and policies of the General Plan and the specific plan for the community. This alternative would be the most environmentally desirable relative to impacts within the Mariposa TPA, however, over time the environmental effects of the growth would be "transplanted" to other locations potentially creating more significant environmental effects. Pursuit of this alternative would likely require public investment in infrastructure and services outside of the Mariposa TPA in an area where such services do not currently exist. Such an expansion of infrastructure would have a significant growth inducing impact.

This alternative directly conflicts with General Plan goals and the communities desires while potentially creating more significant environmental effects countywide.

3. Reduced Development or Slow Growth Alternative

This alternative would fit somewhere in between alternative 1 (preferred) and alternative 2 (no growth). This alternative

could be accomplished by reducing the intensity and density of development within the TPA and/or by imposing an annual growth cap. Implementation of this alternative assumes that some of the future residential, commercial, industrial, and institutional growth would occur outside of the Mariposa TPA either dispersed throughout the County or in other TPA's. This alternative would require the Saxon Creek Water Source project. Implementation of this alternative would likely reduce the dominance of the community of Mariposa within the county over time. This alternative could potentially conflict with some of the goals and policies of the General Plan and the specific plan for the community. Of particular concern are goals relative to affordable housing opportunities and expansion of government facilities. Commercial and industrial facilities could be accommodated elsewhere (tourist related facilities in El Portal, Midpines and Cathey's Valley; local serving commercial in Bootjack).

This alternative may reduce environmental effects within the community of Mariposa by reducing the density and intensity of development. However, as in Alternative 2, these impacts would be potential "transplanted" to other areas of the county which could increase the overall environmental effects. Pursuit of this alternative would likely require an expansion of infrastructure into areas outside of the Mariposa TPA into areas where such services do not currently exist. Such an expansion of infrastructure would have a significant growth inducing impact. This alternative could substantially lessen the traffic related impacts of the preferred alternative.

This alternative appears to conflict with specific General Plan goals and policies and has questionable overall environmental benefit (except for traffic and circulation).

4. No Project - Existing Plan Alternative

Implementation of this alternative would retain the existing specific plan standards within the community. This alternative would be similar to the preferred alternative from the standpoint of future growth although not as much commercial and industrial growth would be accommodated. The existing plan does not specifically correlate land use to environmental and infrastructure limitations. The existing plan does not contain a detailed and implementable program relative to environmental protection or infrastructure. The existing plan does not contain clear distinctions between residential, commercial, industrial, institutional and open space land uses which tends to de-stabilize property values and create a disincentive for investment. This flexibility is perceived as desirable from the standpoint of real estate speculation but has questionable

merit from the standpoint of promoting actual development.

The existing plan does not relate infrastructure needs to new development. This may ultimately require that general county taxpayers or existing utilities users subsidize the cost of new development either by increasing taxes or reducing existing service levels.

Although growth under the existing plan would be similar to the preferred alternative, the environmental impacts would be substantially greater.

5. Increased Development Alternative

This alternative could be accomplished by increasing the intensity and density of development within the TPA and/or by expanding the TPA boundary. Pursuit of this alternative would assume growth in all sectors substantially above both low and high estimates for the next 20 years. Increasing the intensity and density of development would make infeasible many of the mitigation measures/development standards within the plan thereby substantially increasing environmental effects. Expanding the boundaries of the TPA would potentially allow intensive development on the steep hillside areas or outside the logical limits of the community. This could potential lead to undesirable "leap frog" development and erosion of the viability of the existing service centers in the community. Intensifying development would require the Saxon creek Water Source project and may require an expansion of sewer treatment capacity. Intensifying development would create additional, difficult to address, traffic and circulation impacts.

Pursuit of this alternative potentially supports General Plan goals but conflicts with specific plan goals of preservation of sensitive areas and the small town flavor of the community. This alternative has the potential to create environmental impacts significantly greater than the preferred alternative for no identifiable purpose.



7. Growth Inducing Impacts

GROWTH INDUCING IMPACTS OF THE PLAN

The adoption and implementation of this plan will accommodate significant growth and development. The Plan establishes land uses and infrastructure requirements based upon policy direction contained in the overall Mariposa County General Plan and projections of growth within the community based upon past performance. The plan provides for growth into the foreseeable future, but does not provide significant excess development capacity that could lead to undesirable growth inducement impacts such as sprawl, premature development and landuse conflicts.

The development potential programed into the Specific Plan is based upon the General Plan's growth and environmental policy determinations that intensive development should occur within designated town planning areas in addition to the Community's identified desire to continue as the County's center of commerce, government and population. While allowing growth the Plan implements detailed programs to preserve sensitive environmental areas as well as the small town character of the Community. Based upon the Mariposa TPA's position as the center of governmental services within the County, public services can be most efficiently provided to growth within the TPA. As discussed in the Alternative Section, implementation of a no growth or slow growth alternative would direct growth into other areas of the County. Since few areas contain the level of existing development or infrastructure available in the Mariposa TPA, pursuit of such alternatives may actually have a greater negative impact associated with growth.

The financing and extension of infrastructure (sewer lines, water lines, roads) within the TPA will have the effect of increasing the rate of development within the areas served. Policies are included within the Specific Plan that address the timing and design of such growth and limit negative growth inducing effects.

On a County-wide and area-wide basis it is projected that the adoption and implementation of this plan will generally reduce the negative growth inducing impacts on the region.

8. Relationship Between
Short-Term Uses
and
Long-Term Productivity



THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY.

New development involving the construction of roads, parking areas buildings and other permanent facilities has the potential to irretrievably commit resources to development uses. The Community of Mariposa is the largest and one of the oldest in the County so a substantial commitment to development within the area has already been made.

Of particular concern in this evaluation is the premature conversion of sensitive or vulnerable resources to development. Resources which merit consideration within the Mariposa TPA include Open Space, Wildlife Habitat, Mineral Resources and Agricultural Lands. The following section addresses potential concerns associated with these resources.

Open Space - In the preparation of the plan and the EIR two critical areas of open space within the Community have been identified; the steep ridges and ridge tops surrounding the TPA and Mariposa Creek and Stockton Creek. Development within these areas could irretrievably commit these resource areas to development. Standards are included within the Plan that only allow very low density development (1 residence per 20 acres) on the steep ridges. Standards are also provided which establish minimum setbacks from all drainages including Mariposa and Stockton Creek and that protect the water quality within the creeks. These standards are specifically designed to preserve these resources while allowing development to occur.

Wildlife Habitat - Section 4 D of the EIR identifies important wildlife resources within the TPA. This section also identifies mitigation measures established to protect these resources. These standards are considered adequate to protect these resources within the TPA. Implementation of the specific plan may actually reduce pressure to convert more valuable wildlife habitat located outside the Town Planning Area to development uses.

Mineral Resources - As discussed in Section 1.21 of the Specific Plan there are significant mineral resources located in the around the Mariposa TPA. Significant extraction of these resources is already precluded by the extent of existing development within the Town Planning Area. Implementation of the Specific Plan will not direct growth into any substantially undeveloped areas where mineral resources are known to occur. Therefore, new development allowed by this Specific Plan should not significantly effect potential mineral extraction.

Agricultural Lands - The impact on agricultural lands is discussed in Section 4 B of the EIR which concludes that the plan will have no significant impact on agricultural lands located within or outside of the TPA.

The EIR does not identify any uses of land which could pose unmitigated long-term risks to health or safety. The alternative discussion contained in Section 6 explains why pursuit of the preferred alternative is justified at this time.



9. Significant Irreversible
Environmental Changes

ANY SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION.

Implementation of the proposed plan will irreversibly commit areas to development which are currently sparsely developed. As discussed in Sections 5, 6, and 7 of the EIR, the decision to concentrate growth within the Mariposa TPA was based upon evaluation of environmental issues on a regional basis. Planning for development within the TPA will assist in avoiding premature environmental changes in other more sensitive areas.

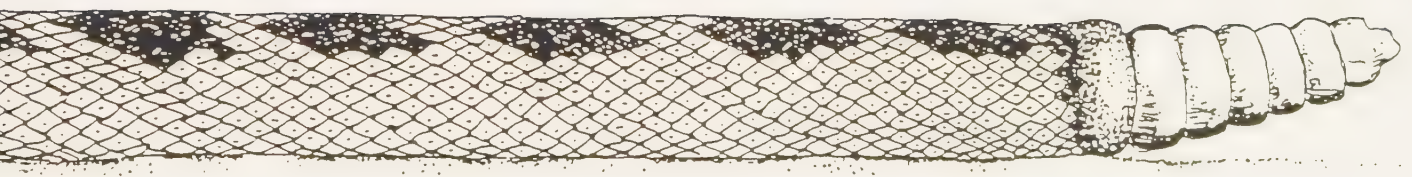
10. Unavoidable Significant
Environmental Impacts



UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS

Unavoidable significant environmental impacts resulting from this project are discussed specifically in Section Four of this report. This section identifies significant impacts on Smith Road (Section G.2), the Smith Road intersections (Section G.1), and on housing and population (Section J). These impacts cannot be mitigated to a non-significant level and alternative designs are not appropriate to mitigate the impacts. The reasons why the impacts cannot be mitigated and why alternative designs are not appropriate are discussed in the findings for the individual impacts and in the alternatives section of this report.

Appendices



APPENDIX A

ORGANIZATIONS AND PERSONS CONSULTED

Mariposa County Unified School District

Mariposa County Health Department

Mariposa County Fire Warden's Office; Larry Cowger, Deputy County
Fire Warden

California Department of Food and Agriculture

United States Department of Agriculture - Soils Conservation
Service, Jerry Progner, District Conservationist

California Department of Transportation, District 10

Mariposa Historical Sites and Records Preservation Commission,
Harry O. Stewart, Chairman

Mariposa County Air Pollution Control District, John Christiansen,
Air Pollution Control District Officer

Mariposa Public Utility District; Mark Rowney, General Manager

Mariposa County Public Works Department; Gwen Foster, Transportation
Planner; Larry Pollard, Public Works Director

Mariposa County Parks and Recreation Department; Rich Begley, Parks
and Recreation Director; Kay Hutmaacher, Landscape
Architect/Planner.

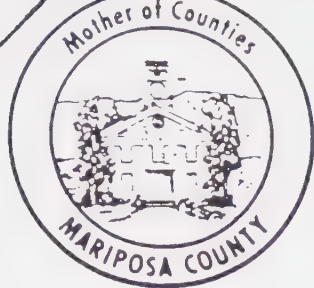
Mariposa County Sheriff's Office, Rod Sinclair, Captain

APPENDIX B

GENERAL PLAN/ZONING AMENDMENTS NECESSARY IN CONJUNCTION WITH ADOPTION OF THE SPECIFIC PLAN

| <u>PARCEL</u> | <u>PARCEL SIZE</u> | <u>LAND USE</u> |
|---------------|--------------------|-----------------|
| 12-010-53 | 83.5 | TPA to MT |
| 12-010-54 | 71.1 | MT to TPA |
| 12-130-19 | 49.7 | MH to TPA |
| 12-130-01 | 3.0 | MH to TPA |
| 12-130-04 | 0.6 | MH to TPA |
| 12-130-02 | 0.5 | MH to TPA |
| 12-130-03 | 1.0 | MH to TPA |
| 12-130-08/15 | 7.9 | MH to TPA |
| 12-140-14 | 40.0 | TPA to MG |
| 12-140-19 | 40.0 | TPA to MG |
| 12-140-69/68 | 187.2 | TPA to MH |
| 12-140-33 | 97.7 | TPA to MH |
| 12-140-34/37 | 164.4 | TPA to MH |
| 12-140-36 | 5.1 | MH to TPA |
| 12-140-56 | 80.1 | TPA to MH |
| 12-150-08/07 | 95.7 | AE to TPA |
| 12-150-06 | 82.5 | TPA to AE |
| 12-150-18 | 2114.9 | TPA to AE |
| 12-150-15 | 2.2 | TPA to AE |
| 12-150-01 | 4.0 | TPA to AE |
| 12-150-16 | 88.1 | TPA to AE |
| 12-180-12 | 3265.6 | TPA(AE) to AE |
| 12-180-03 | 5.85 | MH to TPA |
| 12-180-05 | 20.5 | MH to TPA |
| 12-190-15 | 79.6 | TPA to AE |
| 12-190-09 | 2.0 | TPA to AE |
| 12-200-34 | 51.8 | MH to TPA |
| 12-200-06 | 7.0 | MH to TPA |
| 12-210-41 | 3.5 | RR to TPA |
| 12-210-42 | 2.6 | RR to TPA |
| 12-200-24 | 6.9 | RR to TPA |
| 12-210-02 | 7.8 | TPA to RR |
| 12-250-14 | 10.0 | MT to TPA |
| 12-250-12 | 11.4 | MT to TPA |
| 12-290-11 | 49.1 | MT to TPA |
| 12-290-06 | 91.0 | TPA to MT |
| 12-290-05 | 5.0 | MT to TPA |
| 12-340-05 | 76.6 | MG to TPA |
| 12-140-13 | 200.1 | TPA to MG |
| 12-140-59 | 7.9 | MT to TPA |

APPENDIX C
NOTICE OF PREPARATION



Mariposa County Planning Department

TONY LASHBROOK
Planning Director

April 16, 1990

5101 Jones Street
P. O. Box 2039
Mariposa, CA 95338
(209) 966-5151
FAX No. (209) 966-5147

NOTICE OF PREPARATION

TO: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

FROM:
Lead Agency
Mariposa County Planning Dept.
P.O. Box 2039
Mariposa, CA 95338
(209) 966-5151
ATTN: Duane Hall

SUBJECT: Notice of Preparation of a Draft Environmental
Impact Report

Mariposa County will be the Lead Agency and will prepare an environmental impact report for the project described below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR prepared by our agency when considering a permit or other type of approval for a development project which may be allowed by the Specific Plan. Your agency may not have to grant any such permit or approval, but your views and comments on the potential environmental impacts of the project as they pertain to your agency and expertise are welcomed.

Project Title: Mariposa Town Planning Area Specific Plan

Project Location: Mariposa, Mariposa County

Project Description: The preparation and adoption of an update to the Specific Plan which guides and regulates the future land use and development of the town of Mariposa. The plan will establish special land use policies and standards for the Mariposa Town Planning Area.

A more detailed project description and location and the potential environmental effects of the project are contained in the attached materials. A copy of the Initial Study is attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than thirty (30) days after receipt of this notice. Please send your response to Tony Lashbrook, Mariposa County Planning Director at the address

shown above. In your response, please indicate the name of a contact person in your agency which may be contacted in regards to your agency's response.

In preparing your responses, please take into consideration that the specific plan process and document provide mechanisms for integrating environmental mitigation measures into the project and future development as policy revisions, land use district boundary modifications, and development standards. Your timely input at this stage will save both your agency and the County of Mariposa valuable time and effort in the long run.

If you have any questions in regards to this project and the Notice of Preparation, please feel free to contact Duane Hall of this office at (209) 966-5151.



TONY LASHBROOK, Planning Director

April 10, 1990

CRRR

MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN

PROJECT LOCATION AND DESCRIPTION

Mariposa is the major community of the County and is the seat of County government. It is located in the central part of Mariposa County approximately 40 miles southwest of Yosemite National Park. The attached maps show the regional location of the town and the boundaries of the town planning area.

The project entails the preparation and adoption of a specific plan to guide and regulate the future land use and development of the town of Mariposa. A specific plan is used by Mariposa County to apply special land use policies and regulations to the communities of the County in which the general policies of the General Plan and the County-wide development standards of the Zoning Ordinance may not be adequate. A specific plan was adopted for the Mariposa Town Planning Area (TPA) in 1981, and the land use policies and development standards of that plan are implemented by the Mariposa County Zoning Ordinance. The project is being undertaken to update and revise the existing specific plan to reflect present conditions and incorporate new strategies for development in the TPA. In addition, the specific plan will develop specific development standards and zoning districts for the TPA and will be adopted as an ordinance. As such, the specific plan will be both a land use policy document and a development regulatory document.

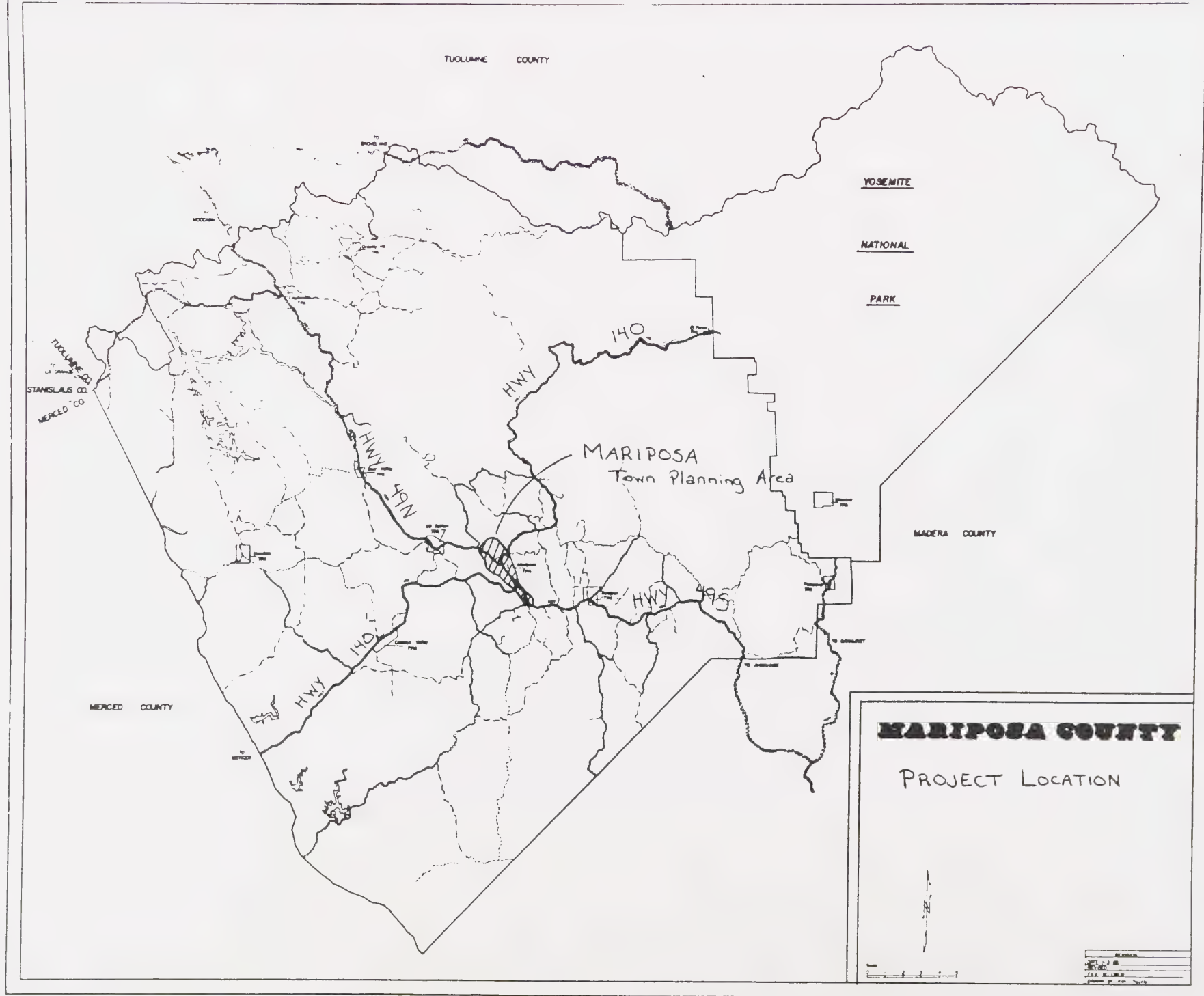
A proposed land use map for the project specific plan is attached showing the proposed land use districts for the TPA. These land use districts include residential (9,000 sq. ft.; 1/2 acre; 2 1/2 and 5 acre; Multi-Family), commercial (Professional Office, Light, and Heavy), Light Industrial, Scenic Resource, planned unit developments (PUD, Transitional Residential), and Public/Quasi-Public. The proposed land use districts generally follow the land use districts of the existing Specific Plan except for the following major modifications:

1. A Light Industrial land use district is proposed for the Fairgrounds area. This land use district is an expansion of the existing General Commercial district and will allow for light industrial uses not presently allowed in the General Commercial district.
2. Commercial districts are proposed to be extended along Highway 49 North. These commercial extensions include Heavy Commercial and Professional Office Commercial districts on the south side of Highway 49 between the Mariposa Cemetery and Mariposa Creek and a Professional Office Commercial district on the north side of Highway 49 west of Smith Road.

3. A Light Industrial district is proposed south of Mariposa Creek near Highway 49 North. This property is currently designated for planned residential development.
4. The existing commercial districts on the east side of Highway 140 in the northern part of the town planning area are proposed to be designated Planned Unit Development which will require further review of development by the County and affected agencies before the development is permitted.
5. An area south of Mariposa Creek near Sixth Street is proposed to be designated Light Commercial. The area is presently in the Multi-Family Residential district.

In addition to the primary land use districts described above, an Historic Design Overlay District for the historic downtown area and a Design Review Overlay District for the remainder of the town planning area will be established.

The Specific Plan will not be confined to only land use issues. Other issues which will be addressed by the Specific Plan include circulation and public improvements. The circulation section will address potential traffic impacts on State Highways 140 and 49 and the local County roads, examine the parking and pedestrian problems, and develop short and long-term solutions for these impacts and problems. Public improvement programs will include a County Government Center, the Mariposa Creek Park project, and additional public parking areas. The Specific Plan will also address environmental issues which are identified in the Environmental Impact Report.



APPENDIX D
INITIAL STUDY

INITIAL STUDY

ENVIRONMENTAL CHECKLIST FORM "B"

SECTION A

I. BACKGROUND

1. Name of Project Proponent: County of Mariposa
2. Address and Phone Number of Proponent: P.O. Box 2039,
Mariposa, CA 95338 (209) 966-5151
3. Lead Agency: Mariposa County Board of Supervisors
4. Project Title: Mariposa Town Planning Area Specific Plan

II. DESCRIPTION OF PROJECT

The project entails the adoption of a specific plan to guide and regulate the future land use and development of the town of Mariposa. The specific plan will be an update and revision of the existing Mariposa Town Planning Area Specific Plan and will establish special land use policies and development regulations.

III. DESCRIPTION OF ENVIRONMENTAL SETTING

The Mariposa Town Planning Area (TPA) encompasses the community of Mariposa which is an historic goldrush town located in the central Sierra Nevada foothills. The town is situated between two northwest-southeast trending ridges which form a drainage basin for Mariposa Creek. Mariposa Creek flows along the western edge of the town and has several intermittent streams including Stockton Creek draining into it. The town has been developed on the benches of the creek and the adjacent hillsides. Slopes are moderate to steep (6%-30%) increasing in grade from Mariposa Creek. Native vegetation on undeveloped land is varied and consists of Ponderosa Pine, Digger Pine, Live Oak, Blue Oak, Manzanita, and riparian vegetation along Mariposa Creek. The Department of Fish and Game's Natural Diversity Data Base has identified two rare or threatened plant species as possibly being located in the Mariposa TPA.

State Highways 49 and 140 travel through Mariposa and merge as a single highway for the length of the central part of the town. The town is platted and developed in a linear manner along the State Highways due to the topography of the area. The historic downtown area contains a number of historic

buildings and structures and is developed primarily with retail commercial uses. Other commercial areas in Mariposa are located near the intersection of Highway 140 and Highway 49 North and in the Fairgrounds area. Residential areas of town are found along Bullion Street and Jones Street and in the Smith Road area. A number of professional offices and County government buildings are located near the historic Mariposa County Courthouse.

IV. Environmental Effects Checklist:

(Explanations of all "Yes" or "Maybe" answers are required on attached sheets)

| | | Potential Effect | | |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------|-------------------------------------|
| | | Yes | Maybe | No |
| <u>EARTH</u> Could the project result in: | | | | |
| 1. | The destruction, covering of any unique geologic or physical features? | (1) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. | Substantial acceleration in wind or water erosion of soils, either on or off the site? | (2) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. | Unnecessary or unusual exposure of people or property to geological hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | (3) <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>AIR</u> Could the project result in: | | | | |
| 4. | Creation of substantial air emissions or major deterioration of ambient air quality? | (4) <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. | The creation of objectionable odors? | (5) <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. | The creation of substantial amounts of air-borne particulate matter? | (6) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>WATER</u> Could the project result in: | | | | |
| 7. | Major changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? | (7) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. | Major alterations to the course of flow of flood waters? | (8) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. | Major discharge into surface waters or any major alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | (9) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. | Major alteration or reduction of available subsurface water supplies necessary to support existing development? | (10) <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. | <u>PLANT LIFE</u> Could the project result in a substantial reduction of the numbers of any rare or endangered species of plants? | (11) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>ANIMAL LIFE</u> Could the project result in: | | | | |
| 12. | Major reduction of the numbers of any unique, rare or endangered species of animals? | (12) <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. | Major introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | (13) <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. | Major deterioration of existing fish or wildlife habitat? | (14) <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. | <u>NOISE</u> Could the project result in increases in existing noise levels detrimental to existing uses? | (15) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. | <u>LIGHT AND GLARE</u> Could the project produce new light or glare abnormal to existing uses? | (16) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. | <u>LAND USE</u> Could the project result in a substantial alteration of the present or planned use of an area? | (17) <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Yes Maybe No

NATURAL RESOURCES Could the project result in:

- | | | | | | |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------|-------|----------|
| 18. | Major increases in the rate of use of any natural resource excluding water? | (18) | _____ | _____ | <u>✓</u> |
| 19. | Substantial depletion of any non-renewable natural resource or preclude development of a natural resource? | (19) | _____ | _____ | <u>✓</u> |
| 20. | <u>RISK OF UPSET</u> Could the project involve a risk of an explosion or release of hazardous substances? | (20) | _____ | _____ | <u>✓</u> |
| 21. | <u>POPULATION</u> Could the project substantially alter the existing or planned location, distribution, density or growth rate of human populations of an area? | (21) | <u>✓</u> | _____ | _____ |

TRANSPORTATION/CIRCULATION Could the project result in:

- | | | | | | |
|-----|-----------------------------------------------------------------------------------------------------------|------|----------|-------|-------|
| 22. | Major effects on existing parking facilities, or demand for new parking? | (22) | <u>✓</u> | _____ | _____ |
| 23. | Major alterations to present or planned patterns of circulation or movement of people and/or goods? | (23) | <u>✓</u> | _____ | _____ |
| 24. | Major increase in traffic that may be hazardous to motor vehicles, bicyclists, pedestrians, or livestock? | (24) | <u>✓</u> | _____ | _____ |

PUBLIC SERVICES Could the project have an effect upon, or result in a need for new or altered governmental services in any of the following areas?

- | | | | | | |
|-----|--------------------------------------------------------------|------|-------|----------|-------|
| 25. | Fire Protection | (25) | _____ | <u>✓</u> | _____ |
| 26. | Police Protection | (26) | _____ | <u>✓</u> | _____ |
| 27. | Schools | (27) | _____ | <u>✓</u> | _____ |
| 28. | Parks and Other Recreation Facilities | (28) | _____ | <u>✓</u> | _____ |
| 29. | Maintenance in public facilities including streets and roads | (29) | _____ | <u>✓</u> | _____ |
| 30. | Other governmental or public services or facilities | (30) | _____ | <u>✓</u> | _____ |

HUMAN HEALTH Could the project result in:

- | | | | | | |
|-----|-------------------------------------------------------------------------------------|------|----------|-------|-------|
| 31. | Creation of any health hazard or potential health hazard (excluding mental health)? | (31) | <u>✓</u> | _____ | _____ |
| 32. | Exposure of people to potential health hazards? | (32) | <u>✓</u> | _____ | _____ |

AESTHETICS Could the project result in:

- | | | | | | |
|-----|----------------------------------------------------------------------|------|----------|-------|-------|
| 33. | The destruction of any scenic vista or view open to the public? | (33) | <u>✓</u> | _____ | _____ |
| 34. | The creation of an aesthetically offensive site open to public view/ | (34) | <u>✓</u> | _____ | _____ |

CULTURAL RESOURCES Could the project result in:

- | | | | | | |
|-----|---------------------------------------------------------------------------------------------------|------|----------|----------|-------|
| 35. | The alteration of or the destruction of a prehistoric or historic archaeological site? | (35) | _____ | <u>✓</u> | _____ |
| 36. | Adverse physical or aesthetic effects to a prehistoric or historic building, structure or object? | (36) | <u>✓</u> | _____ | _____ |

Environmental Checklist Form "B", Page 4A

V. DISCUSSION OF PROBABLE ENVIRONMENTAL EFFECTS

- 1, 33, and 34: The development of structures or roads on the hillsides of Mariposa or along Mariposa Creek may degrade or impair the view of these unique physical features. The project proposes to limit the size of newly created parcels on the hillsides, but does not have any standards for regulating development on the hillsides. There are no open space provisions for Mariposa Creek. Because of the potential development allowed on the hillsides and along the creek and the visual resource importance of these features, these effects may be significant.
- 2: Grading for development on moderate to steep slopes will result in increased soil erosion. Exposure of soils on large sites over a period of time may result in significant erosion as may grading on the steep slopes of the surrounding hillsides.
- 4: Increased traffic on the State Highways (see Checklist Nos. 23 and 24) will result in decreased levels of service on these highways and will generate increased emissions from motor vehicles. The impact on the ambient air quality of the area which is presently an attainment area for all pollutants is unknown. The topography of the town (ridges surrounding narrow valley) will impede the proper dispersal of pollutants. Because of these factors, this effect may be potentially significant.
- 6: Grading on moderate to steep slopes may result in the creation of substantial amounts of airborne particulate matter. This airborne particulate matter may effect neighboring land uses, traffic, and the air quality of the town, and has the potential to be significant.
- 7, 8, and 9: Development will increase the amount of impervious surfaces in the town which will alter absorption rates and increase surface runoff. Increased surface runoff with erosion of soil will increase discharges into surface waters, especially Mariposa Creek, and may alter the quality of the surface water. In addition, development adjacent to drainage courses may alter drainage patterns and the flow of floodwaters. Based upon the scope of the project, the number and type of drainages flowing into Mariposa Creek, and the community importance of Mariposa Creek, these effects may be significant.

- 8, 31, and 32: A 100-year floodplain has been identified and mapped for Mariposa Creek. The project will allow industrial, commercial, and residential development within the floodplain with no special standards to protect structures from floodwaters or prohibit major alterations to the floodwater channel. Structures within the floodplain could expose people to floodwater hazards and alter floodwaters which could effect upstream and downstream properties. These effects may be potentially significant.
- 10: The Mariposa Public Utility District (MPUD) has approximately twelve (12) wells to supplement its surface water reservoir and has a limited number of water connections available with its existing facilities. Development permitted by the Specific Plan will eventually exceed the existing District water supply or will not be served by the District. Additional wells will have to be drilled by MPUD or private owners in order to serve this development until an alternative water supply is developed. The effect of these wells on the subsurface water supply of the town or existing MPUD and private wells is unknown.
- 11: The Department of Fish and Game's Natural Diversity Data Base (NDDDB) indicates that two threatened or rare plant species--Congdons Lomatium (*Lomatium congdonii*) and Mariposa Clarkia (*Clarkia biloba australis*)--may be located within the Mariposa Town Planning Area. The Mariposa Clarkia has been mapped by the NDDDB within a specific location in the Mormon Bar area. A recent survey for these plants has not been conducted to determine if the plant species exist in the TPA, and there is no evidence available to conclude the plant species do not exist within the TPA. As such, the project may have a significant effect on these rare or threatened plant species by allowing development to occur in potential plant habitats.
- 15, 16, and 17: The project will allow for development in certain areas which may be more intensive than current existing uses or uses presently permitted by the Specific Plan. More intensive development in these areas will result in increased noise and light and will alter the present and planned land use of the Town Planning Area. These effects may be significant due to the nature and scope of the project.

- 21: The project will designate areas which are presently developed with residential uses or planned for residential uses as commercial or light industrial. The project may reduce the amount of land available for residential uses and alter the existing or planned location of population. These effects may be significant due to the unique housing characteristics and opportunities of the Mariposa Town Planning Area.
- 22: At the present time, there is inadequate parking in the downtown area and the Coakley Circle area. The project will allow continued commercial development in these areas which will effect existing parking and create demands for additional parking. Also, commercial development along Bullion Street may impact on-street parking if inadequate on-site parking is not provided.
- 23, 24: The project will increase the intensity and amount of land available for commercial development. The project also proposes to extend commercial development along Highway 49 North. This will increase the amount of traffic on State Highways 49 and 140 including the amount of through traffic. State Highways 49/140 between 3rd Street and Jones Street presently have a minimally acceptable level of service, and increased traffic on this section of the highways will result in an unacceptable level of service. Specifically, increased traffic will intensify traffic congestion in the downtown area, create or intensify hazards at intersections, and create additional hazards for pedestrians. These effects will be significant.
- 25, 26, 28, 29, and 30: Increased commercial and residential development in Mariposa will create additional demands for fire protection, police protection, schools, recreational services, and other public services. These services are presently adequate for the town, but the effect of the project on these services is unknown.
- 35: There are several historic areas in the Mariposa Town Planning Area which presently are not intensely developed. These historic areas include Mormon Bar and the area formerly known as Logtown (along Mariposa Creek near the cemetery). Although there are no historic structures existing in these areas, there is a potential for below-ground historic or archaeological sites to exist in those areas. Intense development in these areas may unearth or destroy unknown historic and archaeological sites, and this may be significant.

33, 34, and 36: The town of Mariposa has a number of historic buildings and structures which contribute greatly to Mariposa being known as an historic goldrush town. The project proposes standards to protect historic buildings from unnecessary demolition and historic design standards to require compatible historic architecture in the historic downtown area. However, these standards are directed towards individual development projects and approvals, and the impact of these standards on the overall historic character of Mariposa and their cumulative impact are unknown.

SECTION B
(To Be Prepared by Lead Agency)

VII. ANALYSIS OF SIGNIFICANCE:

| Identified Potential Impact (No.) | Mitigation Possible | | Impact Significant | | Explanation (continue on separate page if necessary) |
|-----------------------------------------|------------------------|----|-----------------------|----|----------------------------------------------------------------------------------------------------------------------|
| | Yes | No | Yes | No | |
| 1 | | | X | | A discussion of these probable environmental effects of the project is contained in Section V of this Initial Study. |
| 2 | | | X | | |
| 4 | | | X | | |
| 6 | | | X | | |
| 7 | | | X | | |
| 8 | | | X | | |
| 9 | | | X | | |
| 10 | | | X | | |
| 11 | | | X | | |
| 15 | | | X | | |
| 16 | | | X | | |
| 17 | | | X | | |
| 21 | | | X | | |
| 22 | | | X | | |
| 23 | | | X | | |
| 24 | | | X | | |
| 25 | | | X | | |
| 26 | | | X | | |
| 27 | | | X | | |
| 28 | | | X | | |
| 29 | | | X | | |
| 30 | | | X | | |
| 31 | | | X | | |
| 32 | | | X | | |
| 33 | | | X | | |
| 34 | | | X | | |
| 35 & 36 | | | X | | |

VIII. MANDATORY FINDINGS OF SIGNIFICANCE (As per Section 15082 of the CEQA Guidelines, requires EIR if "Yes") Does the project have:

A. The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

A. ✓

B. The potential to achieve short term, to the disadvantage of long term, environmental goals?

B. ✓

C. Impacts which are individually limited but cumulatively considerable?

C. ✓

D. Environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

D. ✓

IX. DETERMINATION:

On the basis of this initial study:

- A. _____ It is found on the basis of this initial study that the proposed project WILL NOT have a significant effect on the environment and a NEGATIVE DECLARATION WILL BE PREPARED.
- B. _____ It is found on the basis of this initial study that the potential environmental effects of this project WILL NOT be significant in this case because the mitigation measures described in Section VI will be added to the project proposal as conditions of approval and will mitigate environmental effects entirely or to an acceptable level. A NEGATIVE DECLARATION will be prepared.
- C. ✓ _____ It is found on the basis of this initial study, that the proposed project MAY have a significant effect on the environment, and an Environmental Impact Report is required. (This determination may be based upon Section VII, Analysis of Significance or Section VIII, Mandatory Findings of Significance)
- D. _____ It is found that it can be argued on the basis of substantial evidence that the project may have a significant environmental impact. An Environmental Impact Report is required.
- E. _____ It is found that there is a serious public controversy concerning the potential environmental effects of the project and an Environmental Impact Report is required.
- F. _____ It is found that the project cannot be approved or conditionally approved and no further action is required under the provisions of the California Environmental Quality Act.

X. ACTIONS:


A. Section "A" of this Initial Study was:

Prepared by Duane Hall Date April 3, 1990
Assisted by _____
Reviewed by Tony Lashbrook Date April 10, 1990
Reviewed by _____ Date _____

B. Section "B" of this Initial Study was:

Prepared by Duane Hall Date April 3, 1990
at the direction of _____
Approved by Tony Lashbrook Date April 10, 1990

C. Authority:



Signature
Tony Lashbrook
Planning Director
Title

Date 4/10/90

For

APPENDIX E
RESPONSES TO NOTIC OF PREPARATION

BOARD OF EDUCATION & TRUSTEES

ANGUS C. BULLIS
MARIPOSA, CALIFORNIA

TIM ERICKSON
LA GRANGE, CALIFORNIA

ERIC A. OSTER
MARIPOSA, CALIFORNIA

JAMES C. TAGGART
EL PORTAL, CALIFORNIA

ARLENE YALEY
MARIPOSA, CALIFORNIA

P.O. BOX 8
MARIPOSA, CALIFORNIA 95338

TELEPHONE 209-966-3691
MARK W. EVANS
SUPERINTENDENT OF SCHOOLS

RECEIVED

MAY 15 1990

MARIPOSA COUNTY
PLANNING DEPARTMENT

May 14, 1990

Mr. Duane Hall
Mariposa County Planning Department
P.O. Box 2039
Mariposa, California 95338

Subject: Response to Notice of Preparation of Draft Environmental
Impact Report

Dear Mr. Hall:

This response to the Notice of Preparation of a Draft Environmental Report (DEIR) is filed on behalf of the Mariposa County Superintendent of Schools and the Mariposa County Unified School District.

While this response is directed toward the DEIR for the Mariposa Town Planning Area Specific Plan. However, our response will be similar when the DEIR for the Mariposa County Redevelopment Plan is received.

In order to effectively assess the environmental impact of the proposed project on the Mariposa County Superintendent of Schools and the Mariposa County Unified School District, the following information is requested:

1. Square footage of commercial and industrial facilities to be constructed in the Plan Area.
2. Projected time line for construction of commercial and industrial facilities.
3. Square footage of commercial and industrial facilities to be reconstructed, renovated, remodeled or refurbished.
4. Number and types of new jobs expected to result from construction, reconstruction, renovation, remodeling, or refurbishing of commercial and industrial facilities.

Mr. Duane Hall

May 14, 1990

Page 2

5. Location, number, size, type, and price (in 1990 dollars) of low and moderate income housing to be constructed.
6. Time line for construction of low and moderate income housing.
7. Location, number, size, type, and price (in 1990 dollars) of other residential housing to be constructed.
8. Time line for construction of other residential housing.
9. Projected total number of residential units within Plan Area including time line.
10. Projected total residential population within Plan Area including time line.
11. Projections of sales tax subventions and other revenue increases attributable to the Redevelopment Plan which will become available to the County of Mariposa.

Should you not be able to provide the foregoing information, we will assess the impact of the project assuming full build-out consistent with the General Plan and will advise you accordingly. If you wish specific information from either the Mariposa County Superintendent of Schools or the Mariposa County Unified School District, please let me know.

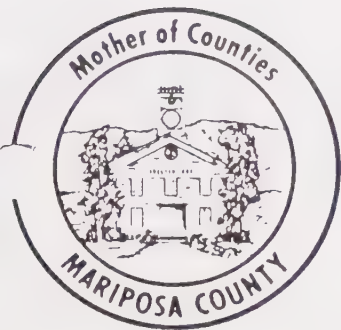
Thank you very much for your assistance in this matter. Please contact me if you have any questions.

Sincerely,



Barbara J. Parker
Deputy Superintendent-Business

BJP:br



Mariposa County Health Department

CHARLES B. MOSHER, M.D.
County Health Officer

4988 Eleventh Street
P.O. Box 5
Mariposa, CA. 95338
(209) 966-3689

May 15, 1990

RECEIVED

MAY 17 1990

MARIPOSA COUNTY
PLANNING DEPARTMENT

TO : Duane Hall, Planning

FROM : C. B. Mosher, MD, Health Officer *CBM*

SUBJECT: Mariposa Town Planning Area Specific Plan

We see no environmental health impacts from this review.

Separate comments from Air Pollution District will be sent.

**FIRE DEPARTMENT, COUNTY OF MARIPOSA
CALIFORNIA DEPARTMENT OF FORESTRY
COOPERATIVE FIRE PROTECTION**

5366 HIGHWAY 49 NORTH
MARIPOSA, CA 95338
(209) 966-3622

GARY GILBERT
MARIPOSA COUNTY FIRE WARDEN
RANGER-IN-CHARGE

May 23, 1990

BEAR VALLEY
BOOTJACK
CATHEYS VALLEY
COULTERVILLE
EL PORTAL
FISH CAMP
GREELEY HILL
HORNITOS
HUNTERS VALLEY
LUSHMEADOWS
MARIPOSA
MIDPINES
MORMAN BAR
PONDEROSA BASIN

Mariposa County Planning Department
Response to EIR
Mariposa Town Planning Area
Specific Plan

RECEIVED

MAY 25 1990

MARIPOSA COUNTY
PLANNING DEPARTMENT

Background:

Development patterns on California's State Responsibility Area (SRA) and county fire wildland over the past decades have just about eliminated strategic suppression options on major fires. The presence of structures intermixed with wildland fuels severely complicate fire control. The traditional strategy of falling back to the next ridge to gain control cannot be accomplished because there may be \$20 million worth of structure between here and there. Suppression becomes a tactical exercise, moving from structure to structure on a case by case basis, often over inadequate access and usually with limited water supplies. Nevada County's 49er fire and others in recent years are examples of the problems that can and will occur in the future unless the overall development process can be changed.

Strategic fire protection planning can provide the design and implementation measures that will help to regain strategic options. Strategic planning is not a new idea, but it is the new application of pre-planning integrated into the legal and procedural aspects of local government development decisions.

Our recommendations for this EIR are stated below. They are based on an overall observation and do not specifically address individual areas on the proposed land use map. Our intent would be to work together to establish where the elements would be utilized within the Mariposa Town Planning Area. The elements in most cases would be considered long term in nature and would require some maintenance agreement to be established.

LAND USE:

Opportunities to establish greenbelts, fuel breaks, fuel reduction, buffer zones, water supply requirements, set backs for fire hydrants to allow off street filling.

HOUSING:

Definition of hazard areas and appropriate mitigation for affordable housing.

CIRCULATION:

Strategic ingress/egress, road design, helibase, helispots, evacuation routes (ground and air).

CONSERVATION

Fuel breaks, fuel reduction zones, additional designed requirements for resource protection.

OPEN SPACE:

Fuel breaks, fuel reduction zones, strategic access and water supplies, designation of parks.

SAFETY:

Evacuation routes, water supplies, road standards, fuel reduction buffer zones, air access, definition of hazard areas and mitigation requirements.

We hope these elements will provide for opportunities for fire and resource protection in the Mariposa Town Planning Area.

If you have any further questions, please feel free to contact my office.

Sincerely,

GARY GILBERT
County Fire Warden

BY: *Larry Cowger*

Larry Cowger
Deputy County Fire Warden

LC:sb

cc: Craig Anthony, Deputy Chief
Ted VanDevort, Operations Chief

DEPARTMENT OF FOOD AND AGRICULTURE

1220 N Street
Sacramento, CA 95814

May 4, 1990

RECEIVED

JUN 4 1990

MARIPOSA COUNTY
PLANNING DEPARTMENT



Duane Hall
Mariposa County Board of Supervisors
P.O. Box 2039
5101 Jones Street
Mariposa, CA 95338

Dear Mr. Hall,

Thank you for the opportunity to comment on the forthcoming Draft Environmental Impact Report (DEIR) for Mariposa Town Planning Area Specific Plan, SCH# 90020361.

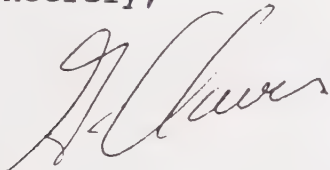
The California Department of Food and Agriculture (CDFA) would appreciate a discussion of the following issues in the DEIR.

1. A complete description of the planning area. This should include current and planned land use designations, the number of acres in agricultural production, soil classifications and acreages, and cropping history.
2. Whether any land under a Williamson Act contract or in an Agricultural preserve is part of, or near to the planning area. How will development affect these designations?
3. The possible mitigation measures to ensure that agricultural land is not prematurely or unnecessarily converted to non-agricultural uses. These measures can include use of the Williamson Act, deed disclosures, a Right-to-Farm Ordinance, phased development, and transfer of development rights.
4. The interface conflicts which can arise from the close proximity of agricultural and urban areas due to noise, dust, chemical usage, trespassing, and traffic. Include any buffering measures (ie. greenbelts, buffers, berms, etc.) which are proposed for the development.
5. The pressure this project could create to convert surrounding agricultural land to urban uses. Can the project be considered precedent setting?
6. Whether development of the area constitutes discontinuous growth and, if so, whether development is necessary at this time.
7. Given the projected need for residential and urban development, what is the cumulative agricultural impact of this and other projects in the region?

The lead agency should also solicit comments from concerned local agencies such as the agricultural commissioner's office, the USDA Soil Conservation Service office, and the county Farm Bureau Federation office, since the above issues are not necessarily comprehensive.

The CDFA supports the right of local agencies to develop and implement land-use policy in its area of influence, but also wants to assure that agricultural land is not prematurely and irreversibly lost due to development which is not accurately assessed for environmental impact.

Sincerely,



George Clavier
Graduate Student Assistant
Agricultural Resources Branch
(916) 322-5227

cc: Office of Planning and Research
Mariposa County Agricultural Commissioner
California Association of Resource Conservation Districts

USDA Soil Conservation Service
P.O. Box 746, Mariposa, CA 95338
(209) 966-3431

April 26, 1990

RECEIVED

APR 27 1990

TO: Tony Lashbrook

SUBJECT: Draft EIR for Mariposa TPA Specific Plan

I hate to sound like a broken record, however my input to this proposal addresses the need for a grading ordinance.

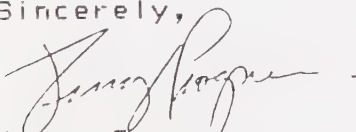
This past January we had a meeting where representatives from El Dorado County shared with us their experiences of rapid development in the absence of a grading ordinance. Much environmental damage was done, lots of money was spent, and a number of litigations occurred before they implemented the grading ordinance.

With this proposed specific plan we would see more intensive land use and as the check list shows, there will be more chance of erosion and water quality degradation. My normal response to these probable environmental effects would be to mitigate by complying with the county grading ordinance. Obviously, that response is useless because no one complies.

My input for this particular proposal is this: This is such a narrow canyon that any erosion that occurs is very likely to go directly into Mariposa Creek. I suggest that until an adequate grading ordinance is developed and the mechanism to implement that ordinance is in place, that there be no more intensive uses of land be allowed.

Thanks for the opportunity to comment.

Sincerely,



Jerry Frognier
District Conservationist

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)
STOCKTON, CA 95201
TDD (209) 948-7853



(209) 948-7838

April 18, 1990

Mr. Tony Lashbrook
Planning Director
Mariposa Co. Planning Dept.
P.O. Box 2039
Mariposa, CA 95338

Attn: Mr. Duane Hall

Dear Mr. Lashbrook:

Caltrans has reviewed your Notice of Preparation of a Draft EIR report for the Mariposa Town Planning Area Specific Plan and offer the following comments:

- The DEIR should address impacts to State Highways 49 and 140 within the limits of the proposed plan;
- As the proposed development occurs items of concern will be widening, dedication of right of way and access openings to and from the State highways.

If you have any questions in regard to our comments please call me at the above noted telephone number.

Sincerely,

A handwritten signature in cursive script that reads "Al Johnson".

AL JOHNSON
IGR Coordinator

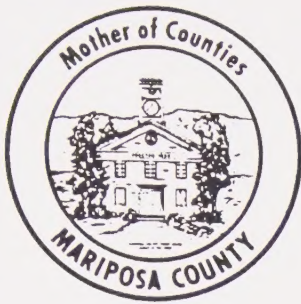
cc: B Lincoln/Mpa Co Trnsp Comm

10-Mpa-49-140
Mariposa County
Mariposa Town Planning Area
Specific Plan
Notice of Preparation of DEIR

RECEIVED

APR 21 1990

MARIPOSA COUNTY
PLANNING DEPARTMENT



MARIPOSA COUNTY

P.O. Box 784
Mariposa, California 95338

RECEIVED
MAY 25 1990

MARIPOSA COUNTY
PLANNING DEPARTMENT

May 24, 1990

TO: Tony Lashbrook, Planning Director

FROM: Harry Stewart, Chairman
Historical Sites and Records *LOS*
Preservation Commission

SUBJECT: Notice of Preparation of a Draft Environmental
Impact Report - Mariposa Town Planning Area
Specific Plan

The Historical Sites and Records Preservation Commission met on May 21, 1990 with this subject being its main agenda item. It was helpful to have Duane Hall from your office at our meeting to answer our many questions.

While we are not positively aware of the locations of any historical resources in these areas, there have been representations by very knowledgeable people which indicate the possibility of such locations.

Specific areas of concern include:

1. The Fairgrounds area and the general Mormon Bar area. Possible areas of historic interest include bedrock mortars and a Chinese burial ground.
2. Highway 49 North. Possible areas of historic interest behind the cemetery in the Logtown area. There was a sawmill there in the 1850's which produced the lumber used in the Courthouse construction. Also in that area is the Fournier Adobe.
3. The area above the Hospital in which one-half acre residential lots and mountain home land use is proposed reportedly contains an Indian burial ground.

Tony Lashbrook, Planning Director
May 24, 1990
Page 2

Our Commission strongly supports the inclusion of mitigating measures relating to anything of potential archeological interest during any development whereby all construction would be halted until a recognized archeologist is able to make a determination of historic value, with no collection of artifacts being permitted.

We appreciate the thought which went into the preparation of your April 16, 1990 document and for the opportunity to review and comment on the material.

U.C. BERKELEY LIBRARIES



C124916021

